PTO/SB/08b (10-08)

Approved for use through 11/30/2008. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

1

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

of

07/827,906-Conf. #3375 Application Number Filing Date January 30, 1992 First Named Inventor Kenneth A. Barton Art Unit 1638 **Examiner Name** A. R. Kubelik 28079/41333 Attorney Docket Number

Complete if Known

		U.S. PAT	ENT DOCUMENTS	
Examiner Initials*	Cite No.1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

23

		FOREIG	GN PATENT D	OCUMENTS		_
Examiner Initials*	Cite No.1	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (# known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
L						_

<u> </u>		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	C1	Complaint for Patent Interference Dissatisfaction, as filed in <i>Mycogen Corp. v. Monsanto Co.</i> , 1:04-CV-0573 DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis).	
	C2	Monsanto's Answer, Affirmative Defenses and Counterclaims, as filed in <i>Mycogen Corp. v. Monsanto Co.</i> , 1:04-CV-0573 DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis).	
	C3	Mycogen's Reply to Monsanto's Counterclaims, as filed in <i>Mycogen Corp. v. Monsanto Co.</i> , 1:04-CV-0573 DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis).	
	C4	Mycogen's Response to Monsanto's First Set of Interrogatories (1-18), as filed in Mycogen Corp. v. Monsanto Co., 1:04-CV-0573 DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis).	
	C5	Monsanto's Response to Mycogen's First Set of Interrogatories (Nos. 1-14), as filed in <i>Mycogen Corp. v. Monsanto Co.</i> , 1:04-CV-0573 DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis).	
	C6	Monsanto's Expert Report of John T. Goolkasian, as filed in <i>Mycogen Corp. v. Monsanto Co.</i> , 1:04-CV-0573 DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis).	
_	C7	Monsanto's Expert Report of Joachim Messing, as filed in <i>Mycogen Corp. v. Monsanto Co.</i> , 1:04-CV-0573 DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis)	
	C8	Mycogen's Expert Report of Joseph O. Falkinham, as filed in <i>Mycogen Corp. v. Monsanto Co.</i> , 1:04-CV-0573 DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis)	
	C9	Monsanto's Rebuttal Expert Report of Dr. Joachim Messing, as filed in <i>Mycogen Corp. v. Monsanto Co.</i> , 1:04-CV-0573 DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis).	
	C10	Mycogen's Rebuttal Expert Report of Dr. Joseph Falkinham, as filed in <i>Mycogen Corp. v. Monsanto Co.</i> , 1:04-CV-0573 DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis).	
		Monsanto's Motion for Summary Judgment Regarding Fischhoff's Priority of Invention, as filed in <i>Mycogen Corp. v. Monsanto Co.</i> , 1:04-CV-0573 DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis).	
	C12	Mycogen's Opposition to Monsanto's Motion for Summary Judgment Regarding Fischhoff's Priority of Invention, as filed in <i>Mycogen Corp. v. Monsanto Co.</i> , 1:04-CV-0573 DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis).	

Examiner	Date	
Cinnatura	Date	
Signature	Considered	

Complete if Known Substitute for form 1449/PTO Application Number 07/827,906-Conf. #3375 **INFORMATION DISCLOSURE** Filing Date January 30, 1992 STATEMENT BY APPLICANT First Named Inventor Kenneth A. Barton Art Unit 1638 (Use as many sheets as necessary) Examiner Name A. R. Kubelik 2 Of 23 Attorney Docket Number 28079/41333

C13	Monsanto's Reply Memorandum in Support of Its Motion for Summary Judgment Regarding Fischhoff's Priority of Invention, as filed in <i>Mycogen Corp. v. Monsanto Co.</i> , 1:04-CV-0573 DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis).	
C14	Entry of Pending Motions re denying Monsanto's Motions for Summary Judgment as to priority of invention and as to Fischhoff; Monsanto's Motion to Exclude Falkinham testimony is denied; Mycogen's Motion to Exclude Goolkasian testimony is granted, as filed in <i>Mycogen Corp. v. Monsanto Co.</i> , 1:04-CV-0573 DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis).	
C15	Ciba's Notice Pursuant to 35 U.S.C. §282, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C16	v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.	
C17		
C18	Monsanto Company's Responses to Ciba-Geigy Corporation's First Set of Interrogatories (Nos. 1-6), as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C19	Monsanto Company's Answers to Ciba-Geigy Corporation's Second Set of Interrogatories, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C20	Monsanto Company's Responses to Ciba-Geigy Corporation's Set of Extra Interrogatories to Monsanto Company, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware	
C21	Monsanto's Responses to Mycogen's First Set of Interrogatories, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C22	Monsanto Company's Answers to Mycogen Plant Science, Inc. and Agrigenetics, Inc.'s Interrogatories 31-40, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C23	Ciba-Geigy Corporation's Responses to Monsanto Company's First Set of Interrogatories (Nos. 1-14), as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C24	Mycogen Plant Science and Agrigenetics' Objections and Responses to Monsanto Company's First Set of Interrogatories (1-9) to MPS and Agrigenetics, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C25	Monsanto's Motion For Judgment As A Matter of Law Or, In the Alternative, A New Trial, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.	_
C26	Novartis' Motion For Judgment As A Matter of Law, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	

		
Examiner	Date	
Signature	Date	
Signature	Considered	

Substitute for	Substitute for form 1449/PTO		Complete if Known			
11.505				Application Number	07/827,906-Conf. #3375	
	RMATION			Filing Date	January 30, 1992	
STATI	EMENT BY	Y APP	LICANT	First Named Inventor	Kenneth A. Barton	
a	lse as many sheet	E 25 00000	ecand)	Art Unit	1638	
,		- 1		Examiner Name	A. R. Kubelik	
	3 0	of	23	Attorney Docket Number	28079/41333	-
C27	Agrigenetics, I Delaware.	Inc., and	Ciba-Geigy Corp.	, 96-133-RRM, United	Of Law, Or Alternatively, For A v. Mycogen Plant Science, Inc., I States Court District of	
	Novartis' Opening Brief in Support of Its Renewed Motion for Judgment As A Matter of Law, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.					
C29	Agrigenetics, In Delaware.	nc., and (r, as filed in <i>Monsi</i> Ciba-Geigy Corp.,	anto Co. v. Mycogen I , 96-133-RRM, United	States Court District of	
	Mycogen and Agrigenetics' Brief in Support of Their Motion for Judgment as a Matter of Law or Alternatively, for a Partial New Trial on Limited Issues, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.					
C31	Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware					
	Inc., Agrigeneti Delaware.	ics, Inc., a	and Ciba-Geigy C	s filed in <i>Monsanto Co</i> orp., 96-133-RRM, Ur	or Judgment As A Matter of b. v. Mycogen Plant Science, nited States Court District of	
C33	Agrigenetics, In Delaware.	c., and C	iba-Geigy Corp.,	96-133-RRM, United S	ent As A Matter Of Law Or, In en Plant Science, Inc., States Court District of	
C34	Mycogen's Reply Brief in Support of Its Motion for Judgment as a Matter of Law or, Alternatively, A Partial New Trial on Limited Issues, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.					
C35	filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware					
	Monsanto's Reply Brief in Support of It's Motion for Judgment as a Matter of Law or, In The Alternative, A New Trial, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.					
	133-RRM, Unite	d States	7/96 Hearing on Pending Motions, pages 1-3 and 44-61, as filed in Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-Court District of Delaware.			
	Corp., 96-133-R	RM, Unite	ed States Court D	Science, Inc., Agriger istrict of Delaware	dity Under 35 U.S.C. §102(g), netics, Inc., and Ciba-Geigy	
C39	Monsanto's Opp Inventorship Unc	osition to der 35 U.:	Ciba's Motion for S.C. § 102(a), as:	Summary Judgment	of Invalidity for Prior v. Mycogen Plant Science, ed States Court District of	

Date

Considered

Examiner

Signature

	Substitute fo	r form 1449/PTO				0		
		10/11/14/5//10			Application Number	Complete if Known		
1 1	NFO	RMATION	l Dis	SCLOSURE	Filing Date	07/827,906-Conf. #3375		
	STAT	EMENT		PRICANT		January 30, 1992		
1	O I A I		MENT BY APPLICANT		First Named Inventor	Kenneth A. Barton		
1	(Use as many she	ets as i	necessarv)	Art Unit 1638			
	Т				Examiner Name	A. R. Kubelik		
<u></u>	<u> </u>	4	Of	23	Attorney Docket Number	28079/41333		
	C4	Agrigenetics Delaware.	s, Inc.,	and Ciba-Geigy Corp.	, 96-133-RRM, United	nent of Invalidity of the '365 Mycogen Plant Science, Inc., States Court District of	- 1	
	C4*	filed in Mons	santo C	Co. v. Mycogen Plant S M. United States Court	nsmitting Mycogen's Corrected Brief in Support of its Motion 365 Patent is Invalid Under U.S.C. § 103 (Obviousness), as Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy s Court District of Delaware.			
		U.S.C. §103 Agrigenetics Delaware.	dotion (OBVI , Inc., a	and Brief for Summary OUSNESS) , as filed i and Ciba-Geigy Corp.,	of for Summary Judgment That the '365 Patent is Invalid Under 35 SS), as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc.</i> , a-Geigy Corp., 96-133-RRM, United States Court District of			
	C43	Science, Inc. District of De	nsanto's Answering Brief to Mycogen's Motion for Summary Judgment That the '365 Patent availd Under 35 U.S.C. § 103 (Obviousness), as filed in <i>Monsanto Co. v. Mycogen Plant ence, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court					
	C44	Geigy Corp.,	96-133	3-RRM. United States	Court District of Dalam	dgment that the '365 Patent is , Agrigenetics, Inc., and Ciba-		
	C45	Geigy Corp., 96-133-RRM, United States Court District of Delaware. Defendants Mycogen Plant Science and Agrigenetics, Inc., Motion and Memorandum in Support Pursuant to Rule 12(b)(6) for Dismissal on the Basis of Monsanto's Failure to Comply with the Written Description Requirement of 35 USC § 112 ¶ 1, as filed in Monsanto Co. v. States Court District of Delaware.						
	C46	Requirement Science, Inc., District of Del	of 35 t <i>Agrige</i> aware.	JSC § 112, ¶ 1 (Correcentics, Inc., and Ciba-	cted), as filed in <i>Monsa</i> Geigy Corp., 96-133-F	anto Co. v. Mycogen Plant RRM, United States Court		
	C47	with the Writte Mycogen Plar States Court [n Des of Scient District	cription Requirement once, Inc., Agrigenetics, of Delaware	of 35 USC § 112, ¶ 1, a Inc., and Ciba-Geigy	netics Brief in Support of its onsanto's Failure to Comply as filed in <i>Monsanto Co. v.</i> Corp., 96-133-RRM, United		
		Plaintiff Monsa Agrigenetics, I Compliance w v. Mycogen Pl States Court D	anto's l nc.'s M ith 35 (ant Sci district (Brief in Opposition to E Motion Pursuant to Rule U.S.C. § 112 (Written ience, Inc., Agrigenetic of Delaware	e 12(b)(b) Fed. R. Civ. Description Requirem cs, Inc., and Ciba-Geig	Plant Science, Inc. and P. for Dismissal Based on ent), as filed in <i>Monsanto Co.</i> by Corp., 96-133-RRM, United		
		Description Re	quiren A <i>grigei</i>	pent of 35 U.S.C. & 113	of 1 of floating to Comp	nt to Rule 12(b)(6), Fed. R. ly With the Written anto Co. v. Mycogen Plant RM, United States Court		

Examiner		
Signature	Date	
	Considered	

Substitute for form 1449/	Substitute for form 1449/PTO			Complete if Known
INICODALAT		••	Application Number	07/827,906-Conf. #3375
INFORMATION DISCLOSURE STATEMENT BY APPLICANT			Filing Date	January 30, 1992
			First Named Inventor	Kenneth A. Barton
			Art Unit	1638
			Examiner Name	A. R. Kubelik
5	Of	23	Attorney Docket Number	28079/41333

C50	Comply With the Written Description Requirement of 35 U.S.C. § 112, as filed in <i>Monsanto Cov. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C51	Ciba-Geigy's Motion and Notice for Summary Judgment of Invalidity for Lack of Written Description under 35 U.S.C. §112, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C52	112 (Inadequate Written Description), as filed in <i>Monsanto Co. v. Mycogen Plant Science</i> , <i>Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C53	Plaintiff Monsanto's Combined Brief in Opposition to Defendants Mycogen and Ciba's Motions for Summary Judgment of Invalidity for Lack of Adequate Written Description Under 35 U.S.C. § 112, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.	
C54	Patent for Lack of Written Description Under 35 U.S.C § 112, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
	Ciba's Reply Brief to Monsanto's Combined Brief in Opposition to Mycogen's and Ciba's Motions for Summary Judgment of Invalidity for Lack of Written Description Under 35 U.S.C. § 112, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.	
030	Part, Denying Plaintiff's Motion For Judgment as a Matter of Law in Part, Denying Plaintiff's Motion For Judgment as a Matter of Law in Part, and Denying Other Pending Motions, AS FILED IN MONSANTO CO. V. MYCOGEN PLANT SCIENCE, INC., AGRIGENETICS, INC., AND CIBA-GEIGY CORP., 96-133-RRM, UNITED STATES COURT DISTRICT OF DELAWARE.	
C57	Judgment In Favor Of Defendants, AS FILED IN MONSANTO CO. V. MYCOGEN PLANT SCIENCE, INC., AGRIGENETICS, INC., AND CIBA-GEIGY CORP., 96-133-RRM, UNITED STATES COURT DISTRICT OF DELAWARE	\dashv
C58 C	Opinion of Judge McKelvie on pending trial issues and post trial motions, including inequitable conduct, 61 F. Supp. 2d 133 (D.Del. 1999) in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
1	Revised Opinion On Post Trial Motions And Motion On Inequitable Conduct, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.	-
C60 F	ederal Circuit decision on appeal from <i>Monsanto Co. v. Mycogen Plant Science, Inc.,</i> Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware, 261 F.3d 1356 (Fed. Cir. 2001)	1
C61 T	rial Transcript, Opening Statement by Mr. Lynch (Monsanto), pages 63-84, dated June 15, 998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	\dashv

Examiner		
Signature	Date	
	Considered	1

Substitute for form 1449/PTO				Complete if Known
INFORMAT			Application Number	07/827,906-Conf. #3375
INFORMATION DISCLOSURE STATEMENT BY APPLICANT			Filing Date	January 30, 1992
			First Named Inventor	Kenneth A. Barton
(Use as mai	nv sheets as ner	essend	Art Unit	1638
(Use as many sheets as necessary)		Examiner Name	A. R. Kubelik	
6	Of	23	Attorney Docket Number	28079/41333

C62	Trial Transcript, Opening Statement by Mr. Drivas (Novartis), pages 122-136, dated June 15, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C63	dated June 15, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics</i> , <i>Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District (D. D.).	
C64	June 15, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Date.	
C65	195, dated June 15, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C66	Trial Transcript, Stephen Rogers, Continued Direct examination by Mr. Lynch (Monsanto), pages 217-234, dated June 16, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C67	Trial Transcript, Stephen Rogers, Cross examination by Mr. Drivas (Novartis), pages 234-244, dated June 16, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
	pages 244-253, dated June 16, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
	Trial Transcript, Stephen Rogers, Redirect examination by Mr. Lynch (Monsanto), pages 254-255, dated June 16, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
	Trial Transcript, Stephen Rogers, Transition statements, pages 255-257, dated June 16, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
	Transcript, John Goolkasian, Direct examination by Ms. Knoll (Monsanto), pages 357-372, 375-399, dated June 16, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
///	Trial Transcript, John Goolkasian, Cross examination by Mr. Drivas (Novartis), pages 399-400, dated June 16, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
(A	Mycogen/Agrigenetics), pages 401-422, dated June 16, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.	
A	rial Transcript, John Goolkasian, Redirect examination by Ms. Knoll (Monsanto), pages 422- 23, dated June 16, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc.,</i> <i>Igrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of	

Examiner	 	
Signature	Date	
	Considered	1

Substitute for form 1449/PTO				Complete if Known
NEODIA -			Application Number	07/827,906-Conf. #3375
INFORMATION DISCLOSURE STATEMENT BY APPLICANT			Filing Date	January 30, 1992
			First Named Inventor	Kenneth A. Barton
(Use se ma	ny choote se no		Art Unit	1638
(Use as many sheets as necessary)		Examiner Name	A. R. Kubelik	
7	Of	23	Attorney Docket Number	28079/41333

C75	as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.	
C76	1 Hail Transcript, Dr. Nam-Hai Chua, Direct examination by Mr. Lynch (Monsanto), pages 427-436, 440-472, dated June 16, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C77	Trial Transcript, Dr. Nam-Hai Chua, Cross examination by Mr. Drivas (Novartis), pages 472-486, dated June 16, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C78	Trial Transcript, Dr. Nam-Hai Chua, Continued Cross examination by Mr. Drivas (Novartis), pages 503-538, dated June 17, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
	Trial Transcript, Dr. Nam-Hai Chua, Cross examination by Mr. Olson (Mycogen/Agrigenetics), pages 538-570, dated June 17, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
	Trial Transcript, Dr. Nam-Hai Chua, Redirect examination by Mr. Lynch (Monsanto), pages 570-581, 594-605, dated June 17, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
	Trial Transcript, Dr. Nam-Hai Chua Transition Statements, pages 605-606, dated June 17, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C62	17131 Transcript, Deposition Testimony of Kenneth Barton, pages 1047-1064, dated June 18, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.	
C63	dated June 18, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, nc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Date.	7
	lated June 18, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics,</i> nc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Date.	1
1	091, dated June 18, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of	
	rial Transcript, Deposition Testimony of Michael Miller, pages 1102-1110, dated June 19, 998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Cibaceigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	1
1	rial Transcript, Deposition Testimony of Sandra Cannon, pages 1110-1123, dated June 19, 998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Cibabeigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	

Examiner		
Signature	Date	
-ignature	Considered	1

PTO/SB/08b (10-08)

Approved for use through 11/30/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Output

Description of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO			Complete if Known		
14/50 514 4 7			Application Number	07/827,906-Conf. #3375	
INFORMATION DISCLOSURE			Filing Date	January 30, 1992	
STATEMEN	STATEMENT BY APPLICANT			Kenneth A. Barton	
(lise as mar	TV shoots as not		Art Unit	1638	
(Use as many sheets as necessary)		Examiner Name	A. R. Kubelik		
8	Of	23	Attorney Docket Number	28079/41333	

Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.	
Corp., 96-133-RRM, United States Court District of Delaware	-
Trial Transcript, Deposition Testimony of Edgar Lawson, pages 1137-1139, dated June 19, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delayers	T
Irial Transcript, Deposition Testimony of David Fishhoff and transition statement, pages 1140-1155, dated June 19, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.	
Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.	
Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.	
Corp., 96-133-RRM, United States Court District of Delaware	
pages 1392-1405, dated June 24, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science</i> , <i>Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.	
Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.	
Trial Transcript, Michel Adams, Direct examination by Ma. Mahara	
	Delaware. 9 Trial Transcript, Deposition Testimony of Fred Perlak, pages 1125-1137, dated June 19, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware. 10 Trial Transcript, Deposition Testimony of Edgar Lawson, pages 1137-1139, dated June 19, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware. 11 Trial Transcript, Deposition Testimony of David Fishhoff and transition statement, pages 1140-1155, dated June 19, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware. 11 Trial Transcript, Dr. Julia Bailey-Serres, Direct examination by Mr. Drivas (Novartis), pages 1161-1219, 1223-1238, 1250-1280, dated June 19, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware. 11 Trial Transcript, Dr. Julia Bailey-Serres, Cross examination by Mr. Drivas (Novartis), pages 1260-1286, dated June 19, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware. 11 Trial Transcript, Dr. Julia Bailey-Serres, Redirect examination by Mr. Drivas (Novartis), pages 1260-1286, dated June 19, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware. 11 Transcript, Deposition Testimony of Fred Perlak, pages 1337-1342, dated June 19, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware. 11 Transcript, Guy Cardineau, Direct examination by Mr. Lynch (Monsanto), pages 1405-1413, dated June 24, 1998, as filed in Monsanto Co. v. M

Examiner			
Signature		Date	
Signature	<u></u>	Considered	1
		Considered	

PTO/SB/08b (10-08)

Approved for use through 11/30/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

l					Application Number	07/827,906-Conf. #3375		
	NFOF	RMATIO	N DIS	CLOSURE	Filing Date	January 30, 1992		
5	TAT	EMENT	BY A	PPLICANT	First Named Inventor	Kenneth A. Barton		
	a	ise as many e	hoote se n		Art Unit 1638			
(Use as many sheets as necessary)				ecessary)	Examiner Name	A. R. Kubelik		
		9	Of	23	Attorney Docket Number	28079/41333		
·	C10	0 Trial Trans	script. Mic	chel Adama Cross ox	amination by Mar I	ch (Monsanto), pages 1453-		
		Agrigeneti Delaware.	cs, Inc., a	and Ciba-Geigy Corp	., 96-133-RRM, United	en Plant Science, Inc., I States Court District of		
		Inc., Agrig Delaware.	enetics, I	nc., and Ciba-Geigy	Corp., 96-133-RRM, U	ahaney (Mycogen/Agrigenetics) Co. v. Mycogen Plant Science, nited States Court District of	,	
		Inc., Agrige Delaware.	enetics, li	nc., and Ciba-Geigy (as filed in <i>monsanto C</i> Corp., 96-133-RRM, Ui	n (Mycogen/Agrigenetics), Co. v. Mycogen Plant Science, nited States Court District of		
		Agrigenetic Delaware.	s, Inc., a	nd Ciba-Geigy Corp.,	96-133-RRM, United	States Court District of		
		Mycogen F States Cou	lant Scie	nce, Inc., Agrigenetic of Delaware	s, Inc., and Ciba-Geig	ition statement by Mr. Olson 8, as filed in <i>Monsanto Co. v.</i> y <i>Corp.</i> , 96-133-RRM, United		
		Trial Transo 1998, as file Geigy Corp	cript, Dep ed in <i>Mor</i> 96-133	osition Testimony of isanto Co. v. Mycoge -RRM. United States	Court District of Dolor	s 1537-1538, dated June 24, Agrigenetics, Inc., and Ciba-		
		pages 1539 Inc., Agrige Delaware.	enpt, Jose 1-1604, da netics, Ind	eph Falkinham, Direct ated June 24, 1998, a c., and Ciba-Geigy C	examination by Mr. Ones filed in <i>Monsanto Coorp.</i> , 96-133-RRM, Un	olson (Mycogen/Agrigenetics), o. v. Mycogen Plant Science, ited States Court District of		
		Agrigenetics Delaware.	s, Inc., an	d Ciba-Geigy Corp.,	96-133-RRM, United S			
		Co. v. Myco United State	gen Plant s Court E	! <i>Science, Inc., Agrige</i> District of Delaware	enetics, Inc., and Ciba-	ansition statement by Mr. 5, 1998, as filed in <i>Monsanto</i> -Geigy Corp., 96-133-RRM,		
·	C109	Trial Transci 1707-1708, Agrigenetics Delaware.	ript, Depo dated Jur s, Inc., and	esition Testimony of E ne 25, 1998, as filed in d Ciba-Geigy Corp., 9	6-133-RRM, United S			
		Agrigenetics Delaware.	, Inc., and	d Ciba-Geigy Corp., 9	6-133-RRM, United Si			
					ation by Mr. Drivas (N Co. v. Mycogen Plant United States Court Dis	ovartis), pages 1773-1821, Science, Inc., Agrigenetics, strict of Delaware.		

Examiner			
Signature		Date	
e-gridital C	——————————————————————————————————————	Considered	1

Substitut	Substitute for form 1449/PTO			Complete if Known		
INCORNATION DIGGS OF THE				Application Number	07/827,906-Conf. #3375	
INFORMATION DISCLOSURE				Filing Date	January 30, 1992	
SIA	STATEMENT BY APPLICANT (Use as many sheets as necessary)			First Named Inventor	Kenneth A. Barton	
				Art Unit	1638	
	The second of th		Examiner Name	A. R. Kubelik		
	10	Of	23	Attorney Docket Number	28079/41333	

Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.	
June 25, 1998, as filed in Monsanto Co. v. Mycogen/Agrigenetics), pages 1843-1844 dated and Ciba-Geigy Corp., 96-133-RRM United States Court District Inc., Agrigenetics, Inc.,	
dated June 25, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Date.	
June 25, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc.,</i> and Ciba-Geigy Corp., 96-133-RRM. United States Court District of Date.	
pages 1855-1860, dated June 25, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of D. J.	
dated June 25, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of D. Inc., Agrigenetics,	
pages 1875-1878, dated June 25, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.	
Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.	
Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of D.	
dated June 25, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics,</i> Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court Diabeted (D. J. R.)	\dashv
Trial Transcript, Toni Armstrong, Direct examination by Mr. Lee (Monsanto), pages 1897-1902, dated June 25, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, nc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	\dashv
	Delaware. 3 Trial Transcript, Fred Perlak, Redirect examination by Mr. Lynch (Monsanto), pages 1842-1843, and transition statement by Mr. Olson (Mycogen/Agrigenetics), pages 1843-1844 dated June 25, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware. Trial Transcript, Roy Fuchs, Direct examination by Mr. Lynch (Monsanto), pages 1845-1855, dated June 25, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware. Trial Transcript, Roy Fuchs, Cross examination by Mr. Drivas (Novartis), page 1855, dated June 25, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware. Trial Transcript, Roy Fuchs, Cross examination by Mr. Dickerson (Mycogen/Agrigenetics), pages 1855-1860, dated June 25, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware. Trial Transcript, Harry Klee, Direct examination by Mr. Lee (Monsanto), pages 1867-1874, dated June 25, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware. Trial Transcript, Harry Klee, Cross examination by Mr. Drivas (Novartis), pages 1874-1875, dated June 25, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware. Trial Transcript, Larry Klee, Cross examination by Mr. Drivas (Novartis), pages 1874-1875, dated June 25, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware. Trial Transcript, Linda Hanley Bowdoin, Cross examination by Mr. D

Examiner		
Signature	Date	
Olgriditare	 Considered	J
	1	<u></u>

Substitute for	or form 1449/F	ото			Complete if Known
INITO		011		Application Number	07/827,906-Conf. #3375
			CLOSURE	Filing Date	January 30, 1992
STATEMENT BY APPLICANT				First Named Inventor	Kenneth A. Barton
,	lise as man	v sheets as no		Art Unit	1638
	(Use as many sheets as necessary)			Examiner Name	A. R. Kubelik
	11	Of	23	Attorney Docket Number	28079/41333

anscript, Toni Armstrong, Cross examination by Mr. Oelke (Novartis), pages 1902-lated June 25, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., netics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Ire. anscript, Toni Armstrong, Cross examination by Mr. Dickerson (Mycogen/Agrigenetics), 1903, dated June 25, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., netics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Ire. anscript, Jeanne Layton, Direct examination by Mr. Lee (Monsanto), pages 1904-1912, une 25, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, d Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.	
retics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of re. anscript, Jeanne Layton, Direct examination by Mr. Lee (Monsanto), pages 1904-1912, une 25, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, d Ciba-Geigy Corp., 96-133-RRM, United States Court District.	
d Ciba-Geigy Corp., 96-133-RRM, United States Court Bistain (D. Agrigenetics,	
in script, Jeanne Layton, Cross examination by Mr. Oelke (Novartis), page 1912, dated 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., a-Geigy Corp., 96-133-RRM, United States Court District of Date.	
anscript, David Fishhoff, Direct examination by Ms. Knoll (Monsanto), pages 1924- ated June 26, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc.,</i> etics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of te.	
Ciba-Geigy Corp., 96-133-RRM United States Court District of D. J. Agrigenetics,	
D18-2044, dated June 26, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science</i> , igenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of	
tics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of	
Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court	
pp., 96-133-RRM, United States Court District of Delaware	
ed June 26, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., tics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of	1
script, Dr. Nam-Hai Chua, Cross examination by Mr. Olson (Mycogen/Agrigenetics), 87-2096, dated June 26, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science</i> , genetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of	1
	inscript, Dearine Layton, Cross examination by Mr. Oelke (Novartis), page 1912, dated for the page 1912, dated for the page 1912, dated for the page 1912, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., as filed in Monsanto Co. v. Mycogen Plant Science, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware. Inscript, David Fishhoff, Direct examination by Ms. Knoll (Monsanto), pages 1924-ated June 26, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware. Inscript, David Fishhoff, Cross examination by Mr. Drivas (Novartis), pages 1963-2018, inc. 26, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware. Inscript, David Fishhoff, Redirect examination by Mr. Olson (Mycogen/Agrigenetics), ingenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware. Inscript, David Fishhoff, Redirect examination by Ms. Knoll (Monsanto), pages 2045-ted June 26, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware. Inscript, Transition statements examination by Mr. Lynch (Monsanto) and Mr. Drivas Delaware. Inscript, Deposition transcript of Walter Wright, pages 2051-2056, dated June 26, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware. Inscript, Dr. Nam-Hai Chua, Direct examination by Mr. Olson (Mycogen/Agrigenetics), 187-2096, dated June 26, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware. Inscript, Dr. Nam-Hai Chua, Cross examination by Mr. Olson (Mycogen/Agrigenetics), 187-2096, dated June 26, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, 187-2096, dated June 26,

Examiner		
Signature	Date	
o gratare	Considered	

PTO/SB/08b (10-08)

Approved for use through 11/30/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

				Application Number	07/827,906-Conf. #3375	
			SCLOSURE	Filing Date	January 30, 1992	
STAT	EMENT E	3Y A	APPLICANT	First Named Inventor	Kenneth A. Barton	
((Use as many sheets as necessary)			Art Unit	1638	
				Examiner Name	A. R. Kubelik	
	12	Of	23	Attorney Docket Number	28079/41333	
	Agrigenetics Delaware.	s, Inc.,	and Ciba-Geigy Corp.	, 96-133-RRM, United	n inequitable conduct, pages Mycogen Plant Science, Inc., I States Court District of	
	Trial Transcript, Opening Statement by Mr. Tomasch (Mycogen/Agrigenetics) on inequitable conduct, pages 2228-2253, dated June 26, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.					
	7 Trial Transcript, Closing Argument by Mr. Lynch (Monsanto), pages 2277-2319, dated June 29, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.					
	1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc. Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.					
	C141 Trial Transcript, Closing Argument by M dated June 29, 1998, as filed in Monsan Inc., and Ciba-Geigy Corp., 96-133-RRM			Olson (Mycogen/Agrigenetics), pages 2371-2414, o Co. v. Mycogen Plant Science, Inc., Agrigenetics,		
	29, 1998, as Ciba-Geigy (filed in Corp., !	n <i>Monsanto Co. v. Myc</i> 96-133-RRM. United S	. Lynch (Monsanto), p ogen Plant Science, Ir tates Court District of	ages 2414-2421, dated June nc., Agrigenetics, Inc., and	
	1998, as filed Geigy Corp.,	pt, Re I in <i>Mc</i> 96-13	ibuttal Argument by Mr. Insanto Co. v. Mycogel 3-RRM. United States	. Drivas (Novartis), pag n <i>Plant Science, Inc., i</i> Court District of Delay	ges 2421-2422, dated June 29, Agrigenetics, Inc., and Ciba-	
	dated June 2	pt, Re 9, 199 3- <i>Geia</i>	buttal Argument by Mr. 8, as filed in <i>Monsanto</i> v Com. 96-133-RRM	Olson (Mycogen/Agri Co. v. Mycogen Plant	genetics), pages 2422-2424, Science, Inc., Agrigenetics,	
	2432-2446, d Agrigenetics, Delaware.	ated J Inc., a	une 29, 1998, as filed in the common of the	. Lynch (Monsanto) or n <i>Monsanto Co. v. My</i> 96-133-RRM, United S	n inequitable conduct, pages cogen Plant Science, Inc., States Court District of	
	Mycogen Plan States Court I	nt Scie District	of Delaware.	, dated June 29, 1998 , Inc., and Ciba-Geigy	, as filed in <i>Monsanto Co. v.</i> Corp., 96-133-RRM, United	
	Trial Transcrip 2493-2505, da Agrigenetics, i Delaware.	ot, Law ated Ju Inc., ai	rrence Bogorad, Cross une 29, 1998, as filed in nd Ciba-Geigy Corp., 9	6-133-RRM, United Si	1	\dashv
	1, 40gcin/1gi	genet	rence Bogorad, Redire ics), pages 2505-2509 nce. Inc. Agrigentics	dated lung 20, 1000	on filed :- A4	\dashv

Examiner		
Signature	Date	
	Considered	i
		<u>. </u>

States Court District of Delaware.

Delaware.

Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United

C149 Trial Transcript, David Fishhoff, Examination by Mr. Tomasch (Mycogen/Agrigenetics), pages 2509-2547, dated June 29, 1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of

PTO/SB/08b (10-08)

Approved for use through 11/30/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

Delaware.

District of Delaware.

ł					Application Number	07/827,906-Conf. #3375	
				SCLOSURE	Filing Date	January 30, 1992	
ST	ATE	EMENT E	BY A	APPLICANT	First Named Inventor	Kenneth A. Barton	_
İ	(U	se as many cho	ate se	: 5000000m.)	Art Unit	1638	
-	(Use as many sheets as necessary)				Examiner Name	A. R. Kubelik	
		13	Of	23	Attorney Docket Number	28079/41333	
		Mycogen Pla States Coun	ant So t Disti	rict of Delaware	14, dated July 8, 1998 cs, Inc., and Ciba-Geig	, as filed in Monsanto Co. v. gy Corp., 96-133-RRM, United	
L	C151 Trial Transcript, David Fishhoff, Examin July 8, 1998, as filed in <i>Monsanto Co. v Ciba-Geigy Corp.</i> , 96-133-RRM, United			. 96-133-RRM United 9	States Court Diod-ing and	ce, Inc., Agrigenetics, Inc., and	
Li		dated July 8	трт, D , 1998 <i>a-Ge</i>	lavid Fishhoff, Examina B, as filed in <i>Monsanto i</i> igv Corp., 96-133-RRM	tion by Ms. Knoll (Mor Co. v. Mycogen Plant United States Count	ssanto), pages 2646-2658, Science, Inc., Agrigenetics,	
	C153 Trial Transcript, Closing argument by Mr conduct, pages 2658-2686, dated July 8 Science, Inc., Agrigenetics, Inc., and Cit District of Delaware.				Tomasch (Mycogen/A 1998, as filed in Mons a-Geigy Corp., 96-133	Agrigenetics) on inequitable santo Co. v. Mycogen Plant -RRM, United States Court	
		Agrigenetics, Delaware.	Inc.,	and Ciba-Geigy Corp.,	96-133-RRM, United	nequitable conduct, pages ogen Plant Science, Inc., States Court District of	
		Geigy Corp.,	96-13	33-RRM. United States	Court District of Dalay	ges 2699-2708, dated July 8, Agrigenetics, Inc., and Ciba-	
		Science, Inc., District of Del	ot Mi <i>Agrig</i> aware	chael Adang, submitted genetics, Inc., and Ciba e.	1 3/25/98 in <i>Monsanto</i> -Geigy Corp., 96-133-	Co. v. Mycogen Plant RRM, United States Court	
		District of Del	aware		-Geigy Corp., 96-133-	RRM, United States Court	
	- 1	District of Dela	aware	i.	-Geigy Corp., 96-133-1	anto Co. v. Mycogen Plant RRM, United States Court	
	_	Delaware.	,	on and one dengy Co	"P., 90-133-RRM, Unit	Co. v. Mycogen Plant Science, ted States Court District of	
С	(Delaware.	,	ver, and olba-delgy Co	1μ., 90-133-KKM, Unit	o. v. Mycogen Plant Science, led States Court District of	\dashv
	[District of Dela	ware.		Geigy Corp., 96-133-R	nto Co. v. Mycogen Plant RRM, United States Court	
C	162 E	Expert report o nc., Agrigenet Delaware.	of Joh ics, Ir	n Dewhirst, submitted 3 nc., and Ciba-Geigy Col	3/25/98 in <i>Monsanto C</i> rp., 96-133-RRM, Unite	o. v. Mycogen Plant Science, ed States Court District of	\neg

Examiner			
Signature		Date	
o.g.,a.tore		Considered	ĺ

C163 Expert report of Joseph Falkinham, submitted 4/15/98 in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court

PTO/SB/08b (10-08)

Approved for use through 11/30/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

1				Application Number	07/827,906-Conf. #3375	
INFOR	MATIO	N DIS	CLOSURE	Filing Date	January 30, 1992	
STATI	EMENT	BY A	PPLICANT	First Named Inventor	Kenneth A. Barton	
				Art Unit	1638	
(\(\begin{array}{cccccccccccccccccccccccccccccccccccc	se as many s	heets as i	necessary)	Examiner Name	A. R. Kubelik	
	14	Of	23	Attorney Docket Number	28079/41333	
		_ <u></u>				
	District of	Delawar	geneucs, mc., and CIL 8.	pa-Geigy Corp., 96-13	santo Co. v. Mycogen Plant 3-RRM, United States Court	
	District of	Delawar	geneucs, mc., and Cit e.	a-Geigy Corp., 96-13;	santo Co. v. Mycogen Plant 3-RRM, United States Court	
	District of I	Delaware	genetics, mc., and Cib 9.	a-Geigy Corp., 96-133	nto Co. v. Mycogen Plant B-RRM, United States Court	<u> </u>
C167	District of [Delaware	eneucs, mc., and Cib e.	a-Geigy Corp., 96-133	nto Co. v. Mycogen Plant B-RRM, United States Court	
	District of D	Delaware	eneucs, mç., and Cib. :	a-Geigy Corp., 96-133	anto Co. v. Mycogen Plant -RRM, United States Court	
	Delaware.	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	no., and Ciba-Geigy C	orp., 96-133-RRM, Ur	Co. v. Mycogen Plant Science, nited States Court District of	T
	District of D	elaware	enedos, mo., and Ciba	a-Geigy Corp., 96-133	Co. v. Mycogen Plant -RRM, United States Court	
	District of C	alifornia	(San Diego)	ipany, 95-CV-653, U.S	s, dated July 10, 1995, as filed 5. District Court, Southern	
	Monsanto's filed in Myco District of C	Respon ogen Pla alifornia	ses to Plaintiffs' Fourt int, et al. v. Monsanto (San Diego).	Company, 95-CV-653	s, dated January 21, 1997, as , U.S. District Court, Southern	
	Mycogen Pl Interrogator Company, 9	lant Scie ies (Nos 05-CV-65	nce, Inc. and Agrigend 1-11), dated June 24 33, U.S. District Court	Southern District of C	s to Monsanto's First Set of cogen Plant, et al. v. Monsanto	
	of Points an Declaration al. v. Monsa Diego).	d Author of Laure into Com	ities in Support of Its Inson in Support), date of the Inson in Support in Support in Inson in Support in Inson in In	or Summary Judgment Motion for Summary Jo Ed December 28, 1995 S. District Court, South	of Validity and Memorandum udgment of Validity (includes in a stilled in Mycogen Plant, et item District of California (San	
	95-CV-653,	U.S. Dis	trict Court. Southern F	District of California (Se	on for Summary Judgment of al. v. Monsanto Company,	
	Validity and Monsanto C Diego).	Exhibits ompany,	in Opposition to in Support, filed July 2 95-CV-653, U.S. Dist	Mycogen's Motion for 24, 1996, as filed in <i>M</i> trict Court, Southern D	Summary Judgment of vcogen Plant, et al. v. istrict of California (San	
1 1		~ <i>.,</i> 0.	Support of Its Motion for Ogen Plant, et al. v. M California (San Diego).	urisanin Company us	t of Validity, dated August 5, -CV-653, U.S. District Court,	

Examiner			
Signature	Į (Date	
Signature		Considered	i i

	Substitute for form 1449/PTO				Complete 1816			
	Substitute for	form 1449/PTO				Complete if Known		
-	INFO			1001 00115-	Application Number	07/827,906-Conf. #3375		
	CTAT	CIVIATIO	וט א	SCLOSURE	Filing Date	January 30, 1992		
ı	SIAH	EMENI	3Y /	APPLICANT	First Named Inventor	Kenneth A. Barton		
1	a	lse as many sh	eots a	S (1000cccan)	Art Unit 1638			
ŀ	- 			Trecessary)	Examiner Name	r Name A. R. Kubelik		
L		15	Of	23	Attorney Docket Number	28079/41333		
	C179	Claim Cons Company, 9 Monsanto's § 102(g) an Plant, et al. California (§	Motic d § 10 v. Mo	on, filed August 15, 1990 7-653, U.S. District Cour on and Notice of Motion Of Pursuant to Fed. R. Company, 95-Ci piego)	§ 271(g); Granting Months, as filed in Mycogen to the Southern District of for Summary Judgme Civ. P. 56, dated Marc V-653, U.S. District Co.	ent of Invalidity Under 35 U.S.C. th 30, 1998, as filed in <i>Mycogen</i> ourt, Southern District of		
	C180	Mahaney ar Company, 9 Reply Brief	of Mo	pendix, dated April 13, 1 -653, U.S. District Court	998, as filed in <i>Mycog</i> , Southern District of (gen Plant, et al. v. Monsanto California (San Diego).		
Company, 95-CV-653, U.S. District Court, Southern District of Calife						cogen Plant, et al. v. Monsanto California (San Diego).		
		as filed in M	coge strict c	n Plant, et al. v. Monsar	nto Company, 95-CV-(terson), dated March 30, 1998, [653, U.S. District Court,		
		Appendix), d CV-653, U.S	ated A	April 13, 1998, as filed in ict Court Southern Dist	Mycogen Plant, et al	. v. Monsanto Company, 95-		
		Claims 1-12 al. v. Monsar Diego).	of U.S ito Co	m in Support of Monsan B. Patent No. 5,380,831, Empany, 95-CV-653, U.S	to's Motion for Summ dated April 20, 1998, District Court, South	ary Judgment of Invalidity of as filed in <i>Mycogen Plant</i> , et nem District of California (San		
	C185			Order Granting Monsan nd 103; Order Denying I Moot, filed November 1		ary Judgment Under 35 r Summary Judgment Under	-	

		Diego). District Court, Southern District of California (San	ĺ
		Order Lifting Stay; Order Granting Monsanto's Motion for Summary Judgment Under 35 U.S.C. §§ 102(g) and 103; Order Denying Monsanto's Motion for Summary Judgment Under 35 U.S.C. § 112 as Moot, filed November 10, 1999, as filed in <i>Mycogen Plant, et al. v. Monsanto Company</i> , 95-CV-653, U.S. District Court, Southern District of California (San Diego).	
	L	Mycogen Plant, et al. v. Monsanto Company, 252 F.3d 1306 (Fed. Cir. 2001) – Inter alia, reversing summary judgment of invalidity under 35 U.S.C. § 102(g).	
		Supplemental Memorandum of Points and Authorities in Support of Monsanto's Motion for Summary Judgment of Invalidity of Claims 1-12 of U.S. Patent No. 5,380,831, filed November 19, 2001, as filed in <i>Mycogen Plant, et al. v. Monsanto Company</i> , 95-CV-653, U.S. District Court, Southern District of California (San Diego).	
	C188	Mycogen's Opposition to Monsanto's Motion on Remand for Summary Judgment of Invalidity of Claims 1-12 of U.S. Patent No. 5,380,831, dated December 3, 2001, as filed in <i>Mycogen Plant</i> , et al. v. Monsanto Company, 95-CV-653, U.S. District Court, Southern District of	
		Reply Memorandum of Points and Authorities in Support of Monsanto's Motion for Summary Judgment of Invalidity of Claims 1-12 of U.S. Patent No. 5,380,831, dated December 10, 2001, as filed in <i>Mycogen Plant, et al. v. Monsanto Company</i> , 95-CV-653, U.S. District Court, Southern District of California (San Diego).	
<u> </u>	r——-	5-7	_
Examiner Signature		Date	

Examiner			
Signature	ļ	Date	
		Considered	j !

Substitute for form 1449/P	то			Complete if Known
			Application Number	07/827,906-Conf. #3375
OTATEMAN	ON DI	SCLOSURE	Filing Date	January 30, 1992
STATEMEN	T BY A	APPLICANT	First Named Inventor	Kenneth A. Barton
(Use as man	v shoote se	7000000ml	Art Unit	1638
(Use as many sheets as necessary)			Examiner Name	A. R. Kubelik
16	Of	23	Attorney Docket Number	28079/41333

	Order Denying Monsanto's Motion for Summary Judgment, dated June 4, 2002, as filed in <i>Mycogen Plant</i> , et al. v. Monsanto Company, 95-CV-653, U.S. District Court, Southern District of California (San Diego).	
	Rule 26 Expert Report of John T. Goolkasian, dated November 13, 2003, as filed in <i>Mycogen Plant</i> , et al. v. Monsanto Company, 95-CV-653, U.S. District Court, Southern District of California (San Diego).	_
	Rule 26 Expert Report of Dallas E. Johnson, dated November 13, 2003, as filed in <i>Mycogen Plant</i> , et al. v. Monsanto Company, 95-CV-653, U.S. District Court, Southern District of California (San Diego).	
	Expert Report of Dr. Joachim Messing, dated November 13, 2003, as filed in <i>Mycogen Plant</i> , et al. v. Monsanto Company, 95-CV-653, U.S. District Court, Southern District of California (San Diego).	
	Rebuttal Expert Report of Joseph Falkinham III, dated December 18, 2003, as filed in <i>Mycogen Plant, et al. v. Monsanto Company</i> , 95-CV-653, U.S. District Court, Southern District of California (San Diego).	
	Notice of DeKalb Pursuant to 35 U.S.C. § 282, dated December 12, 1997, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of	<u> </u>
	Notice Under 35 U.S.C. § 282 by Monsanto and Delta and Pine Land Company, dated December 20, 1997, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	Interrogatories, dated December 9, 1997, as filed in Mycogen Plant, et al. v. Monsanto Company, et al, 1:96-cv-00505-RRM, U.S. District Court, District of Delta.	
	in Mycogen Plant, et al. v. Monsanto Company, et al, 1:96-cv-00505-RRM, U.S. District Court,	
C199	Mycogen's Supplemental Response to Monsanto's First Set of Interrogatories, dated December 23, 1997, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-	
C200	23, 1997, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington)	
C201	Monsanto's and Delta and Pine Land's Supplemental Responses to Interrogatories, dated November 21, 1997, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Milwinston)	7
	dated April 28, 1997, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-	1
5	50, dated February 20, 1998, as filed in <i>Mycogen Plant</i> , et al. v. <i>Monsanto Company</i> , et al., 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Miles et al., v. Monsanto Company, et al.,	
L	All Agrigenetics' Post-Trial Brief in Support of Motion for Judgment as a Matter of Plant, et al. v. Monsanto Company, et al., 1:96-cv-00505-RRM, U.S. District Court, District of Plant, et al. v. Monsanto Company, et al., 1:96-cv-00505-RRM, U.S. District Court, District of Plant and Agrigenetics of Plant and Agrigenetics of Plant, et al. v. Monsanto Company, et al., 1:96-cv-00505-RRM, U.S. District Court, District of Plant and Agrigenetics of Plant and Agr	

Examiner		
Signature	Date	
	Considered	j

"	oudstitute f	or form 1449/PTC)		ļ	Comp	lete if Known	
1.	NEO		N D100		Application Nun	nber 07/8	27,906-Conf. #3375	
	CTAT	KWAHO	M DISC	LOSURE	Filing Date		Jary 30, 1992	
'	SIAI	EMENI	BY AP	PLICANT	First Named Inv		neth A. Barton	
ı		Use as many s	heets as noc	accand)	Art Unit	1638		
-	<u> </u>		7000 23 1160		Examiner Name	A. R	Kubelik	
L		17	Of	23	Attorney Docket		9/41333	
	C20	05 Monsanto	's and Delta	and Dine Land				
	C20 C20 C20 C210 C211	448.2, 448 Company, 6 Memorance of Law, da 1:96-cv-00 7 Mycogen's Civ. P. 50, 1:96-cv-00 8 Monsanto's the Close of Company, 9 Monsanto's the Verdict, et al, 1:96-c) Memorando Judgment at Monsanto of (Wilmington Letter from It for Partial So Monsanto of (Wilmington) Letter from It Summary Ju	3.3 and 448. et al, 1:96- dum of DeKa ted April 27 505-RRM, I Reply Brief dated May 505-RRM, I S and Delta of Evidence, et al, 1:96- of and Delta dated Febricy-00505-RI um in Suppo as a Matter of company, et). Reply to P S a Matter of company, et). Balick, Ashb ummary Juc ompany, et).	4), dated April 27 cv-00505-RRM, U alb Genetics in Op, 1998, as filed in J.S. District Court in Support of Its 11, 1998, as filed J.S. District Court, and Pine Land's F dated February 2 v-00505-RRM, U. and Pine Land's F uary 20, 1998, as RM, U.S. District Court of Monsanto's a flaw, dated Mander al, 1:96-cv-00505 aintiffs' Opposition f Law, dated May al, 1:96-cv-00505 y & Geddes to July & Geddes McKelvie related learners and the second seco	Angelia San Filed Angelia San	in Mycogen P int, District of I intiff's Motion i i, et al. v. Monia aware (Wilmin iment as a Ma ant, et al. v. Monia aware (Wilmin iment as a Ma ant, et al. v. Monia aware (Wilmin in for Judgmen in Mycogen F it, District of D in for Judgmen in Mycogen F it, District of D in for Judgmen in Mycogen in Plant, et al. if Delaware (W ine Land's Re if illed in Mycogen istrict Court, D is and Delta an illed in Mycogen istrict Court, D is as filed in Mycogen istrict Court, D is and Delta an in Mycogen istrict Court, D is and Delta an in Mycogen istrict Court, D is and D is	tter of Law Under Fed. Fonsanto Company, et al. gton). It as a Matter of Law at Plant, et al. v. Monsanto elaware (Wilmington). It as a Matter of Law after of Plant, et al. v. after of Delaware of	₹.
	C214	(Wilmington)		, 00 00 0000	TATAM, U.S. DIS	trict Court, Dis	trict of Delaware	
		Mycogen Pla District of De	nt, et al. v. i laware (Wili	nd Pine Land's Bri nder 35 U.S.C. § 1 Monsanto Compai mington).	ny, et al, 1:96-c	ovember 24, 1 v-00505-RRM	1997, as filed in I, U.S. District Court.	
	<u> </u>	Plaintiffs' Brie 35 U.S.C. § 1 Company, et	ef in Opposi 02(g), dated al, 1:96-cv-	tion to Defendants December 22, 1	s' Motion for Su 997, as filed in	mmary Judgm Mycogen Plar	ent of Invalidity Under at, et al. v. Monsanto	
	C216	Amended Ver Judgment of I Mycogen Plan District of Del	rsion of Plai Invalidity Un nt, et al. v. M aware (Wiln	ntiffs' Brief in Opp der 35 U.S.C. § 1 Monsanto Compan	position to Defer 02(g), dated Defer oy, et al, 1:96-cv	ndants' Motion ecember 23, 1 00505-RRM	ware (Wilmington). for Summary 997, as filed in U.S. District Court,	
	C217	Reply Brief of Judgment of I	Monsanto a nvalidity Un Monsanto (and Delta and Pine	e Land in Supp 02(g), dated Ja 96-cv-00505-R	ort of Their Mo nuary 7, 1998 RM, U.S. Distr	otion for Summary , as filed in <i>Mycogen</i> rict Court, District of	
kaminer								
gnature	1					Date Considered		\neg

Sut	bstitute for	r form 1449/PTO				Comple	ete if Known	
1 .					Application Number		27,906-Conf. #3375	
				ISCLOSURE	Filing Date		ary 30, 1992	
S	TAT	EMENT	BY /	APPLICANT	First Named Inventor		eth A. Barton	
	a	Use as many sh			Art Unit	1638		
<u> </u>	r ——		Tels da	; necessary)	Examiner Name	+	Kubelik	
		18	Of	23	Attorney Docket Number		9/41333	
		1997, as file District Cou	ed in A urt, Dis	Delta and Pine Land's Ent Nos. 5,567,600 and 5 Mycogen Plant, et al. v. strict of Delaware (Wilming Brief to Monsanto's and 5,567,862 Under 35	Monsanto Company, (ington).	.S.C. § et al, 1:	112, dated October 27, :96-cv-00505-RRM, U.S	s.
	C220	Mycogen Pl District of D	Plant, et Delawai	et al. v. Monsanto Comp.	pany, et al, 1:96-cv-005	Novemb 505-RR	per 24, 1997, as filed in M, U.S. District Court,	t
		as filed in M District Cour	<i>lycoge</i> irt. Dist	. Guy Cardineau in Suppary Judgment of Invalidien Plant, et al. v. Monsatrict of Delaware (Wilmin	anto Company, et al, 1:	112, da :96-cv-(ated November 24, 1997 00505-RRM, U.S.	1
		December 8 00505-RRM	3, 1997 I, U.S.	Delta and Pine Land's Romotion for Summary Jud 7, as filed in <i>Mycogen P</i> District Court, District o	Plant, et al. v. Monsanto	o Comp	U.S.C. § 112, dated pany, et al, 1:96-cv-	T
	C222	Invalidity (inc Monsanto Co (Wilmington)	emoran cludes compar).	ndum in Support of the I s Appendix), dated Octo ny, et al, 1:96-cv-00505	Motion of DeKalb for Pober 13, 1997, as filed RRM, U.S. District Co	Partial S in <i>Mycc</i> ourt, Dis	ogen Plant, et al. v. strict of Delaware	†
	<u></u>	Plaintiffs' And dated November Cv-00505-RF	swerin nber 18 RM, U.S	ng Brief to DeKalb's Mot 18, 1997, as filed in <i>Myc</i> .S. District Court, Distric	ogen Plant, et al. v. Me	onsanto	o Company, et al, 1:96-	+
		Summary Jud Monsanto Co (Wilmington).	of Keitr idgmen o <i>mpan</i> i.	th Walker in Support of Ant of Invalidity, dated No nt of Invalidity, dated No ny, et al, 1:96-cv-00505-	Answering Brief to Del ovember 18, 1997, as RRM, U.S. District Co	Kalb's N filed in ourt, Dis	<i>Mycogen Plant, et al. v.</i> strict of Delaware	
	C225	DeKalb's Rep (includes App Company, et	ply Brie pendix)	ief in Support of Its Motion A), dated December 11,	ion for Partial Summar 1997, as filed in <i>Myco</i>	y Judgr gen Pla	ment of Invalidity ant, et al. v. Monsanto	
		al, 1:96-cv-00	0505-R	RRM, U.S. District Court	d in <i>Mycogen Plant, et</i> t, District of Delaware i	' <i>al. v. M</i> (Wilmin	Monsanto Company, et	_
		al, 1:96-cv-00)505-R	n Post-Trial Motions and ptember 8, 1999, as filed RRM, U.S. District Court	U III Mycogen Plant, et	tal. v. N	Monsanto Company, et	
	(Monsanto Cor (Wilmington).	mpany	y, et al, 1:96-cv-00505-F	ovember 3, 1997, as fil RRM, U.S. District Cou	led in M urt, Disti	Nycogen Plant, et al. v. rict of Delaware	
	((Wilmington).		pert Report, dated Nover y, et al, 1:96-cv-00505-F	NAM, U.S. DISTRICT COU	irt, Distr	rict of Delaware	
	((Wilmington).	,,	xpert Report, dated Nov v, et al, 1:96-cv-00505-R	KKW, U.S. District Cou	rt, Distr	rict of Delaware	
		Lawrence Bog v. Monsanto C Wilmington).	orad E	Expert Report, dated No any, et al, 1:96-cv-00505	ovember 14, 1997, as f i-RRM, U.S. District Co	iled in / ourt, Di	Mycogen Plant, et al. strict of Delaware	-
Examiner Signature	Ĺ				Date Conside	ered		=

Substitute for form 1449/	PTO			Complete if Known
NEODALAT			Application Number	07/827,906-Conf. #3375
INFORMATI	ON DISC	CLOSURE	Filing Date	January 30, 1992
STATEMEN	T BY AP	PLICANT	First Named Inventor	Kenneth A. Barton
(Use as mai	av sheets as no		Art Unit	1638
	(Use as many sheets as necessary)			A. R. Kubelik
19	19 Of 23			

C232	Joseph O. Falkinham Rebuttal Report, dated November 24, 1997, as filed in Mycogen Plant, et al. v. Monsanto Company, et al. 1:96 cv. 00505 DDA + 12, 200505 DDA	
	Delaware (Wilmington).	
C233	Mycogen Plant Science, Inc. v. Monsanto Co., 243 F.3d 1316 (2001).	┢
	Trial Transcript, Opening Statement by Mr. Olson, pages 80-96, 101-118, dated January 20, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al,</i> 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
C235	Trial Transcript, Opening Statement by Mr. Lynch, pages 118-152, dated January 20, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington)	
C236	Trial Transcript, Opening Statement by Mr. Baumgartner, pages 154-193, dated January 20, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court. District of Delaware (Milmington)	
C237	Trial Transcript, Elizabeth E. Murray, Direct Examination by Mr. Olson, pages 443-481, dated January 21, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> 1:96-cv-	
5230	504, dated January 22, 1998, as filed in <i>Mycogen Plant</i> , et al. v. <i>Monsanto Company</i> , et al, 1:96-cv-00505-RRM, U.S. District Court, District of Delayers (AVI)	
	January 22, 1998, as filed in <i>Mycogen Plant</i> , et al. v. Monsanto Company, et al, 1:96-cv-	\dashv
	dated January 22, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> 1:96-cv-	
2	22, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM,	
	lanuary 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-	
Ja	anuary 23, 1998, as filed in <i>Mycogen Plant</i> , et al. v. Monsanto Company, et al, 1:96-cv-	7
19 	998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S.	1
C245 Ir Ja 00	rial Transcript, Sylvia McPherson, Direct Examination by Mr. Lee, pages 979-984, dated anuary 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> 1:96-cv-0505-RRM, U.S. District Court. District of Delaware (Milminator)	7
Ja	rial Transcript, Sylvia McPherson, Cross-Examination by Mr. Olson, pages 984-987, dated anuary 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-0505-RRM, U.S. District Court, District of Delaware (Wilmington).	

Examiner			
Signature		Date	
<u> </u>		Considered	

Substitute for form 1	449/PTO			Complete if Known
INIEGONA			Application Number	07/827,906-Conf. #3375
		SCLOSURE	Filing Date	January 30, 1992
STATEM	ENT BY	APPLICANT	First Named Inventor	Kenneth A. Barton
(Ilsa as	many shoots	20 00000000	Art Unit	1638
(Use as many sheets as necessary)			Examiner Name	A. R. Kubelik
20 Of 23		23	Attorney Docket Number	28079/41333

	Trial Transcript, Sylvia McPherson, Redirect by Mr. Lee, pages 987-988, dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	Trial Transcript, Harry J. Klee, Direct Examination by Ms. Knoll, pages 989-996, dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington)	
	Trial Transcript, Harry J. Klee, Cross-Examination by Mr. Olson, pages 996-997, dated January 23, 1998, as filed in <i>Mycogen Plant</i> , et al. v. Monsanto Company, et al, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Milmington)	
	23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington)	
	Trial Transcript, Roy Fuchs, Cross-Examination by Mr. Olson, pages 1012-1016, dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court. District of Delaware (Milmington)	
C252	dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Milmington)	
C253	January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al,</i> 1:96-cv-00505-RRM, U.S. District Court. District of Delaware (Wilmington)	
C254	dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington)	
	dated January 23, 1998, as filed in <i>Mycogen Plant</i> , et al. v. <i>Monsanto Company</i> , et al, 1:96-cv-	
	January 26, 1998, as filed in <i>Mycogen Plant</i> , et al. v. Monsanto Company, et al, 1:96-cv-	
	January 26, 1998, as filed in <i>Mycogen Plant</i> , et al. v. Monsanto Company, et al, 1:96-cv-	
	10al Transcript, David Fischhoff, Redirect by Mr. Sayler, pages 1156-1160, dated January 26, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington)	
C259 T J	rial Transcript, Joachim Messing, Direct Examination by Mr. Lynch, pages 1166-1203, dated January 26, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cy-00505-RRM, U.S. District Court, District of Delaware (Wilmington)	
0	lanuary 26, 1998, as filed in <i>Mycogen Plant</i> , et al. v. Monsanto Company, et al, 1:96-cv-	\neg
1.	rial Transcript, Catherine Mackey, Direct Examination by Mr. Baumgartner, pages 1237-272, dated January 26, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , :96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	

Examiner	 	
Signature	Date	
	Considered	,

Substitute for form 1449/PTO				Complete if Known
INFORMATION DISCLOSURE STATEMENT BY APPLICANT			Application Number	07/827,906-Conf. #3375
			Filing Date	January 30, 1992
			First Named Inventor	Kenneth A. Barton
(lise as mai	ly shoots as no	**************************************	Art Unit	1638
(Use as many sheets as necessary)			Examiner Name	A. R. Kubelik
21	Of	23	Attorney Docket Number	28079/41333

C262	Trial Transcript, Catherine Mackey, Cross-Examination by Mr. Olson, pages 1273-1292, dated January 26, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-	T
C263	Trial Transcript, Catherine Mackey, Redirect by Mr. Baumgartner, pages 1292-1294, dated January 26, 1998, as filed in Mycogen Plant, et al. v. Managerts 9	-
C264	Trial Transcript, Michael A. Stephens, Direct by Mr. Baumgartner, pages 1302-1325, dated January 26, 1998, as filed in Mycogen Plant, et al. v. Monsento Communications of the Communication of the Co	<u> </u>
	Trial Transcript, Michael A. Stephens, Cross-Examination by Mr. Olson, pages 1325-1335, dated January 26, 1998, as filed in <i>Mycogen Plant</i> , et al. v. Monsanto Company, et al, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	1741 Transcript, Michael A. Stephens, Continued Cross-Examination by Mr. Olson, pages 1342-1344, dated January 27, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Polymers (AVI)	
	dated January 27, 1998, as filed in <i>Mycogen Plant</i> , et al. v. Monsanto Company, et al, 1:96-cv-00505-RRM, U.S. District Court. District of Delaware (Milmington)	
	Trial Transcript, Daniel R. Gallie, Cross-Examination by Mr. Guise, pages 1435-1448, dated January 27, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	Trial Transcript, Daniel R. Gallie, Redirect by Mr. Baumgartner, pages 1448-1453, dated January 27, 1998, as filed in <i>Mycogen Plant</i> , et al. v. Monsanto Company, et al, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
G270	27, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington)	
	Trial Transcript, Deposition Testimony from Donald Merlo, pages 1483-1496, dated January 27, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	Trial Transcript, Deposition Testimony from Thomas Rocheleau, pages 1497-1520, dated January 27, 1998, as filed in <i>Mycogen Plant</i> , et al. v. Monsanto Company, et al, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	dated January 28, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> 1:96-cv-	7
	dated January 28, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> 1:96-cv-	
C275 1 1	fial Transcript, Joseph O. Falkinham, Cross-Examination by Mr. Baumgartner, pages 1690-691, dated January 28, 1998, as filed in <i>Mycogen Plant</i> , et al. v. Monsanto Company, et al.:96-cv-00505-RRM, U.S. District Court, District of Delaware (Milmington)	7
C276 1	rial Transcript, Joseph O. Falkinham, Redirect by Mr. Guise, pages 1691-1694, dated anuary 28, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-0505-RRM, U.S. District Court, District of Delaware (Wilmington).	

Examiner		
Signature	Date	
Olgriature	Considered	ł
	CONSIDERED	

Substitute for form 1449/PTO				Complete if Known
INFORMATION DISCLOSURE			Application Number	07/827,906-Conf. #3375
			Filing Date	January 30, 1992
STATEMENT BY APPLICANT			First Named Inventor	Kenneth A. Barton
(Use as man	v sheets as not		Art Unit	1638
(Use as many sheets as necessary)			Examiner Name	A. R. Kubelik
22	Of	23	Attorney Docket Number	28079/41333

C27	77 Trial Transcript, Michael J. Adang, Direct Examination by Ms. Mahaney, pages 1701-1744, 1747-1750, dated January 28, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company</i> , et al. 1:96-cy-00505-RRM U.S. District Court Dis	Γ
C27	et al, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). Trial Transcript, Michael J. Adang, Cross-Examination by Mr. Lynch, pages 1750-1778, dated January 28, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	dated January 28, 1998, as filed in <i>Mycogen Plant</i> , et al. v. <i>Monsanto Company</i> , et al, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington)	
	January 28, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> 1:96-cy-00505-RRM, U.S. District Court, District of Delaware (Wilmington)	
	1 Trial Transcript, Deposition Testimony of John Ingle, pages 1833-1840, dated January 28, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington)	
	2 Trial Transcript, Jean Romero-Severson, Direct Examination by Ms. Mahaney, pages 1841- 1847, dated January 28, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Miller)	
	dated January 28, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> 1:96-cv-00505-RRM, U.S. District Court. District of Delaware (Wilmington)	
C284	1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S.	
	Trial Transcript, Deposition Testimony of Carolyn Stock (Continued), pages 1933-1939, dated January 29, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	1713 Transcript, Theodore Klein, Direct Examination by Mr. Katcoff, pages 1970-1993, 2003-2013, dated January 19, 1998, as filed in <i>Mycogen Plant</i> , et al. v. Monsanto Company, et al., 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Milmin et al.)	
C287	dated January 29, 1998, as filed in <i>Mycogen Plant</i> , et al. v. <i>Monsanto Company</i> , et al, 1:96-cv-	
	1998, as filed in <i>Mycogen Plant</i> , et al. v. <i>Monsanto Company</i> , et al, 1:96-cv-00505-RRM, U.S.	
	Trial Transcript, Deposition Testimony of Charles Armstrong, pages 2063-2074, dated January 29, 1998, as filed in <i>Mycogen Plant</i> , et al. v. Monsanto Company, et al, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington)	1
	1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington)	\exists
C291	Trial Transcript, Deposition Testimony of William Gurley, pages 2132-2141, dated January 29, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	,	

Examiner		
Signature	Date	
u-g-ratare	Considered	1

PTO/SB/08b (10-08)

Approved for use through 11/30/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Office of the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/F	Substitute for form 1449/PTO			Complete if Known
INFORMATION DISCLOSURE STATEMENT BY APPLICANT			Application Number	07/827,906-Conf. #3375
			Filing Date	January 30, 1992
			First Named Inventor	Kenneth A. Barton
(Use as man	v sheets se	nacaeeand	Art Unit	1638
(Use as many sheets as necessary)			Examiner Name	A. R. Kubelik
23 Of 23		23	Attorney Docket Number	

2 Trial Transcript, Deposition Testimony of Lorance Greenlee, pages 2103, 2104, deput 1	
U.S. District Court. District of Delaware (Wilmington)	
1998, as filed in Mycogen Plant, et al. v. Monsanto Company 2194-2196, dated January 29,	
Trial Transcript, Deposition Testimony of Kevin McBride, pages 2254-2257, dated January 30, 1998, as filed in Mycogen Plant, et al. v. Monsanto Company, et al. 1997, dated January 30,	-
Trial Transcript, Deposition Testimony of Duff Dean, pages 2257-2258, dated January 30, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court. District of Delaware (Wilmington)	-
Inal Transcript, Deposition Testimony of Sherry Brown, pages 2258-2261, dated January 30, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington)	
Trial Transcript, Deposition Testimony of Charles Romano, pages 2261-2264, dated January 30, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al,</i> 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington)	
1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> 1:96-cv-00505-RRM, U.S.	
dated January 30, 1998, as filed in <i>Mycogen Plant</i> , et al. v. Monsanto Company, et al, 1:96-cv-	
30, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington)	
as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al,</i> 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington)	
I rial Transcript, Closing Argument by Mr. Baumgartner, pages 2479-2522, dated January 30, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S.	\dashv
Inal Transcript, Closing Argument by Mr. Olson (Continued), pages 2522-2528, dated January 30, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, J.S. District Court, District of Delaware (Wilmington)	
lanuary 30, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-	7
Plaintiffs' Answering Brief in Opposition to Monsanto's and Delta and Pine Land's Motion for udgment as a Matter of Law, dated April 27, 1998, as filed in <i>Mycogen Plant, et al. v. Milmington</i>).	1
	District Court, District of Delaware (Wilmington). Trial Transcript, Deposition Testimony of Duff Dean, pages 2257-2258, dated January 30, 1998, as filed in <i>Mycogen Plant</i> , et al. v. <i>Monsanto Company</i> , et al, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). Trial Transcript, Deposition Testimony of Sherry Brown, pages 2258-2261, dated January 30, 1998, as filed in <i>Mycogen Plant</i> , et al. v. <i>Monsanto Company</i> , et al, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). Trial Transcript, Deposition Testimony of Charles Romano, pages 2261-2264, dated January 30, 1998, as filed in <i>Mycogen Plant</i> , et al. v. <i>Monsanto Company</i> , et al. 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). Trial Transcript, Deposition Testimony of Dave Corbin, pages 2264-2273, dated January 30, 1998, as filed in <i>Mycogen Plant</i> , et al. v. <i>Monsanto Company</i> , et al. 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). Trial Transcript, Deposition Testimony of Duff Dean (Counterdesignation), pages 2275-2276, dated January 30, 1998, as filed in <i>Mycogen Plant</i> , et al. v. <i>Monsanto Company</i> , et al., 1:96-cv-00505-RRM, U.S. District Court, District Court, District of Delaware (Wilmington). Trial Transcript, Closing Argument by Mr. Olson, pages 2368-2371, 2396-2433, dated January 30, 1998, as filed in <i>Mycogen Plant</i> , et al. v. <i>Monsanto Company</i> , et al., 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). Trial Transcript, Closing Argument by Mr. Lynch, pages 2434-2476, dated January 30, 1998, as filed in <i>Mycogen Plant</i> , et al. v. <i>Monsanto Company</i> , et al., 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). Trial Transcript, Closing Argument by Mr. Baumgartner, pages 2479-2522, dated January 30, 1998, as filed in <i>Mycogen Plant</i> , et al. v. <i>Monsanto Company</i> , et al., 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). Trial Transcript, Closing Argument by Mr. Baumgart

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Examiner		
Signature	Date	_
	Considered	

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

1 of 23

Complete if Known				
Application Number	07/827,906-Conf. #3375			
Filing Date	January 30, 1992			
First Named Inventor	Kenneth A. Barton			
Art Unit	1638			
Examiner Name	A. R. Kubelik			
Attorney Docket Number	28079/41333			

U.S. PATENT DOCUMENTS						
Examiner Cite Initials* No.1		Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevan Figures Appear	

		FOREIG	ON PATENT	DOCUMENTS		
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (il known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	
						\Box

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	C1	Complaint for Patent Interference Dissatisfaction, as filed in <i>Mycogen Corp. v. Monsanto Co.</i> , 1:04-CV-0573 DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis).	
	C2	Monsanto's Answer, Affirmative Defenses and Counterclaims, as filed in <i>Mycogen Corp. v. Monsanto Co.</i> , 1:04-CV-0573 DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis).	
	C3	Mycogen's Reply to Monsanto's Counterclaims, as filed in <i>Mycogen Corp. v. Monsanto Co.</i> , 1:04-CV-0573 DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis).	
	C4	Mycogen's Response to Monsanto's First Set of Interrogatories (1-18), as filed in <i>Mycogen Corp. v. Monsanto Co.</i> , 1:04-CV-0573 DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis).	
	C5	Monsanto's Response to Mycogen's First Set of Interrogatories (Nos. 1-14), as filed in <i>Mycogen Corp. v. Monsanto Co.</i> , 1:04-CV-0573 DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis).	
	C6	Monsanto's Expert Report of John T. Goolkasian, as filed in <i>Mycogen Corp. v. Monsanto Co.</i> , 1:04-CV-0573 DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis).	
	C7	Monsanto's Expert Report of Joachim Messing, as filed in <i>Mycogen Corp. v. Monsanto Co.</i> , 1:04-CV-0573 DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis).	
	C8	Mycogen's Expert Report of Joseph O. Falkinham, as filed in <i>Mycogen Corp. v. Monsanto Co.</i> , 1:04-CV-0573 DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis).	
	C9	Monsanto's Rebuttal Expert Report of Dr. Joachim Messing, as filed in <i>Mycogen Corp. v. Monsanto Co.</i> , 1:04-CV-0573 DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis).	
	C10	Mycogen's Rebuttal Expert Report of Dr. Joseph Falkinham, as filed in <i>Mycogen Corp. v. Monsanto Co.</i> , 1:04-CV-0573 DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis).	
	C11	Monsanto's Motion for Summary Judgment Regarding Fischhoff's Priority of Invention, as filed in <i>Mycogen Corp. v. Monsanto Co.</i> , 1:04-CV-0573 DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis).	=
	C12	Mycogen's Opposition to Monsanto's Motion for Summary Judgment Regarding Fischhoff's Priority of Invention, as filed in <i>Mycogen Corp. v. Monsanto Co.</i> , 1:04-CV-0573 DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis).	

Examiner	Date	
Cianatura	120.0	
Signature	Considered	

Substitute for form	n 1449/PTO			Complete if Known		
				Application Number	07/827,906-Conf. #3375	
INFORM	IATION	I DI	SCLOSURE	Filing Date	January 30, 1992	
STATE	STATEMENT BY APPLICANT				Kenneth A. Barton	
					1638	
(Use	as many she	ets as	necessary)	Examiner Name	A. R. Kubelik	
2	2	Of	23	Attorney Docket Number	28079/41333	

	Monsanto's Reply Memorandum in Support of Its Motion for Summary Judgment Regarding Fischhoff's Priority of Invention, as filed in <i>Mycogen Corp. v. Monsanto Co.</i> , 1:04-CV-0573 DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis).	
C14	Entry of Pending Motions re denying Monsanto's Motions for Summary Judgment as to priority of invention and as to Fischhoff; Monsanto's Motion to Exclude Falkinham testimony is denied; Mycogen's Motion to Exclude Goolkasian testimony is granted, as filed in <i>Mycogen Corp. v. Monsanto Co.</i> , 1:04-CV-0573 DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis).	
C15	Ciba's Notice Pursuant to 35 U.S.C. §282, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C16	Notice of Mycogen's and Agrigenetic's Pursuant to 35 U.S.C. § 282, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C17	Ciba's Supplement to the Notice Pursuant to 35 U.S.C. §282, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.	
C18	Monsanto Company's Responses to Ciba-Geigy Corporation's First Set of Interrogatories (Nos. 1-6), as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C19	Monsanto Company's Answers to Ciba-Geigy Corporation's Second Set of Interrogatories, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C20	Monsanto Company's Responses to Ciba-Geigy Corporation's Set of Extra Interrogatories to Monsanto Company, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C21	Monsanto's Responses to Mycogen's First Set of Interrogatories, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C22	Monsanto Company's Answers to Mycogen Plant Science, Inc. and Agrigenetics, Inc.'s Interrogatories 31-40, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C23	Ciba-Geigy Corporation's Responses to Monsanto Company's First Set of Interrogatories (Nos. 1-14), as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C24	Mycogen Plant Science and Agrigenetics' Objections and Responses to Monsanto Company's First Set of Interrogatories (1-9) to MPS and Agrigenetics, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C25	Monsanto's Motion For Judgment As A Matter of Law Or, In the Alternative, A New Trial, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.	
C26	Novartis' Motion For Judgment As A Matter of Law, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.	

Examiner	Date
Signature	Considered

Sul	ostitute for form 1449/PTO			Complete if Known		
				Application Number	07/827,906-Conf. #3375	
11	NFORMATION	1 DI	SCLOSURE	Filing Date	January 30, 1992	
S	TATEMENT I	BY A	APPLICANT	First Named Inventor Kenneth A. Barton		
				Art Unit	1638	
	(Use as many sheets as necessary) Examiner Name				A. R. Kubelik	
	3	of	23	Attorney Docket Number	28079/41333	

C27	Mycogen and Agrigenetics Motion For Judgment As A Matter Of Law, Or Alternatively, For A Partial New Trial On Limited Issues, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C28	Novartis' Opening Brief in Support of Its Renewed Motion for Judgment As A Matter of Law, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.	
C29	Monsanto's Brief in Support of Its Motion for Judgment As a Matter of Law or, In The Alternative, A New Trial, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.	
C30	Mycogen and Agrigenetics' Brief in Support of Their Motion for Judgment as a Matter of Law or Alternatively, for a Partial New Trial on Limited Issues, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C31	Monsanto's Opposition to Defendant's Motions for Judgment As A Matter of Law, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.	
C32	Novartis' Answering Brief in Opposition to Monsanto's Motion for Judgment As A Matter of Law or, In The Alternative, A New Trial, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C33	Mycogen's Brief In Opposition To Monsanto's Motion for Judgment As A Matter Of Law Or, In The Alternative, A New Trial, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C34	Mycogen's Reply Brief in Support of Its Motion for Judgment as a Matter of Law or, Alternatively, A Partial New Trial on Limited Issues, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.	
C35	Novartis's Reply Brief in Support of Its Renewed Motion for Judgment as a Matter of Law, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C36	Monsanto's Reply Brief in Support of It's Motion for Judgment as a Matter of Law or, In The Alternative, A New Trial, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C37	Hearing Transcript of 7/17/96 Hearing on Pending Motions, pages 1-3 and 44-61, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.	
C38	Ciba-Geigy's Motion and Notice for Summary Judgment of Invalidity Under 35 U.S.C. §102(g), as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C39	Monsanto's Opposition to Ciba's Motion for Summary Judgment of Invalidity for Prior Inventorship Under 35 U.S.C. § 102(g), as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	

_		
Examiner	Date	-
Signature	Considered	

Sut	bstitute for form 1449/PTO			Complete if Known		
1				Application Number	07/827,906-Conf. #3375	
11	NFORMATION	1 DIS	CLOSURE	Filing Date	January 30, 1992	
S	STATEMENT E	3Y AI	PPLICANT	First Named Inventor	Kenneth A. Barton	
l				Art Unit	1638	
(Use as many sheets as necessary) Examiner Name A. R. Kubel				A. R. Kubelik		
	4	Of	23	Attorney Docket Number	28079/41333	

C40	Patent Under 35 U.S.C. § 102(g)a, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C41	4/2/98 Letter Shaw to Dalleo Transmitting Mycogen's Corrected Brief in Support of its Motion for Summary Judgment that the '365 Patent is Invalid Under U.S.C. § 103 (Obviousness), as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.	
C42		
C43	Monsanto's Answering Brief to Mycogen's Motion for Summary Judgment That the '365 Patent is Invalid Under 35 U.S.C. § 103 (Obviousness), as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C44	Mycogen's Reply Brief in Support of Its Motion for Summary Judgment that the '365 Patent is Invalid, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C45	Defendants Mycogen Plant Science and Agrigenetics, Inc. Motion and Memorandum in Support Pursuant to Rule 12(b)(6) for Dismissal on the Basis of Monsanto's Failure to Comply with the Written Description Requirement of 35 USC § 112 ¶ 1, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C46	Defendants Mycogen & Agrigenetics Brief in Support of its Motion Pursuant to rule 12(b)(6) for Dismissal on the Basis of Monsanto's Failure to Comply with the Written Description Requirement of 35 USC § 112, ¶ 1 (Corrected), as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C47	Errata Sheet for Defendants' Mycogen Plant Science and Agrigenetics Brief in Support of its Motion Pursuant to Rule 12(b)(6) for Dismissal on the Basis of Monsanto's Failure to Comply with the Written Description Requirement of 35 USC § 112, ¶ 1, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C48	Plaintiff Monsanto's Brief in Opposition to Defendants Mycogen Plant Science, Inc. and Agrigenetics, Inc.'s Motion Pursuant to Rule 12(b)(6) Fed. R. Civ. P. for Dismissal Based on Compliance with 35 U.S.C. § 112 (Written Description Requirement), as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C49	Defendant Mycogen's Reply Brief in Support of Its Motion Pursuant to Rule 12(b)(6), Fed. R. Civ. P., for Dismissal on the Basis of Monsanto's Failure to Comply With the Written Description Requirement of 35 U.S.C. § 112 ¶ 1, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	

Date	Examiner
	Signature
Considered	Signature

Su	ubstitute for form 1449/PT	·O			Complete if Known
				Application Number	07/827,906-Conf. #3375
11	NFORMATIC	ON DIS	CLOSURE	Filing Date	January 30, 1992
5	STATEMENT BY APPLICANT			First Named Inventor	Kenneth A. Barton
				Art Unit	1638
	(Use as many sheets as necessary)			Examiner Name	A. R. Kubelik
!	5	Of	23	Attorney Docket Number	28079/41333

C50	ORDER Denying Defendants' Motion for Dismissal on the Basis of Monsanto's Failure to Comply With the Written Description Requirement of 35 U.S.C. § 112, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C51	Ciba-Geigy's Motion and Notice for Summary Judgment of Invalidity for Lack of Written Description under 35 U.S.C. §112, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
	Mycogen's Motion for Summary Judgment of Invalidity of the '365 Patent Under 35 U.S.C. § 112 (Inadequate Written Description), as filed in <i>Monsanto Co. v. Mycogen Plant Science</i> , <i>Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C53	Plaintiff Monsanto's Combined Brief in Opposition to Defendants Mycogen and Ciba's Motions for Summary Judgment of Invalidity for Lack of Adequate Written Description Under 35 U.S.C. § 112, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C54	Mycogen's Reply Brief in Support of Its Motion for Summary Judgment of Invalidity of the '365 Patent for Lack of Written Description Under 35 U.S.C § 112, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C55	Ciba's Reply Brief to Monsanto's Combined Brief in Opposition to Mycogen's and Ciba's Motions for Summary Judgment of Invalidity for Lack of Written Description Under 35 U.S.C. § 112, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.	·
C56	Order For Entry of Judgment, Granting Plaintiff's Motion For Judgment as a Matter of Law in Part, Denying Plaintiff's Motion For Judgment as a Matter of Law in Part, and Denying Other Pending Motions, AS FILED IN MONSANTO CO. V. MYCOGEN PLANT SCIENCE, INC., AGRIGENETICS, INC., AND CIBA-GEIGY CORP., 96-133-RRM, UNITED STATES COURT DISTRICT OF DELAWARE.	
C57	Judgment In Favor Of Defendants, AS FILED IN MONSANTO CO. V. MYCOGEN PLANT SCIENCE, INC., AGRIGENETICS, INC., AND CIBA-GEIGY CORP., 96-133-RRM, UNITED STATES COURT DISTRICT OF DELAWARE.	
C58	Opinion of Judge McKelvie on pending trial issues and post trial motions, including inequitable conduct, 61 F. Supp. 2d 133 (D.Del. 1999) in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
	Revised Opinion On Post Trial Motions And Motion On Inequitable Conduct, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.	
	Federal Circuit decision on appeal from <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware, 261 F.3d 1356 (Fed. Cir. 2001).	
C61	Trial Transcript, Opening Statement by Mr. Lynch (Monsanto), pages 63-84, dated June 15, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	

Examiner	Date
Signature	Considered
Signature	Considered

Su	Substitute for form 1449/PTO				Complete if Known		
				Application Number	07/827,906-Conf. #3375		
l!	VFORMATIO	ON DIS	CLOSURE	Filing Date	January 30, 1992		
S	STATEMENT BY APPLICANT			First Named Inventor	Kenneth A. Barton		
				Art Unit	1638		
	(Use as many sheets as necessary)			Examiner Name	A. R. Kubelik		
	6	Of	23	Attorney Docket Number	28079/41333		

C62	1998, as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.	
C63	dated June 15, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C64	Trial Transcript, Rebuttal Opening Statement by Mr. Lynch (Monsanto), pages 168-172, dated June 15, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C65	Trial Transcript, Stephen Rogers, Direct examination by Mr. Lynch (Monsanto), pages 173-195, dated June 15, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C66	Trial Transcript, Stephen Rogers, Continued Direct examination by Mr. Lynch (Monsanto), pages 217-234, dated June 16, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C67	Trial Transcript, Stephen Rogers, Cross examination by Mr. Drivas (Novartis), pages 234-244, dated June 16, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C68	Trial Transcript, Stephen Rogers, Cross examination by Mr. Olson (Mycogen/Agrigenetics), pages 244-253, dated June 16, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C69	Trial Transcript, Stephen Rogers, Redirect examination by Mr. Lynch (Monsanto), pages 254-255, dated June 16, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C70	Trial Transcript, Stephen Rogers, Transition statements, pages 255-257, dated June 16, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C71	Trial Transcript, John Goolkasian, Direct examination by Ms. Knoll (Monsanto), pages 357-372, 375-399, dated June 16, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C72	Trial Transcript, John Goolkasian, Cross examination by Mr. Drivas (Novartis), pages 399-400, dated June 16, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C73	Trial Transcript, John Goolkasian, Cross examination by Mr. Dickerson (Mycogen/Agrigenetics), pages 401-422, dated June 16, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C74	Trial Transcript, John Goolkasian, Redirect examination by Ms. Knoll (Monsanto), pages 422-423, dated June 16, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	

Examiner	Date	
Signature	Considered	

Substitute for form 1449/PTO		Complete if Known			
				Application Number	07/827,906-Conf. #3375
IN.	IFORMATIC	ON DIS	CLOSURE	Filing Date	January 30, 1992
S	STATEMENT BY APPLICANT			First Named Inventor	Kenneth A. Barton
				Art Unit	1638
	(Use as many sheets as necessary)			Examiner Name	A. R. Kubelik
	7	Of	23	Attorney Docket Number	28079/41333

· · · · · · · · · · · · · · · · · · ·		
C75	as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.	
C76	Trial Transcript, Dr. Nam-Hai Chua, Direct examination by Mr. Lynch (Monsanto), pages 427-436, 440-472, dated June 16, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C77	Trial Transcript, Dr. Nam-Hai Chua, Cross examination by Mr. Drivas (Novartis), pages 472-486, dated June 16, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C78	Trial Transcript, Dr. Nam-Hai Chua, Continued Cross examination by Mr. Drivas (Novartis), pages 503-538, dated June 17, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C79	Trial Transcript, Dr. Nam-Hai Chua, Cross examination by Mr. Olson (Mycogen/Agrigenetics), pages 538-570, dated June 17, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C80	Trial Transcript, Dr. Nam-Hai Chua, Redirect examination by Mr. Lynch (Monsanto), pages 570-581, 594-605, dated June 17, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C81	Trial Transcript, Dr. Nam-Hai Chua Transition Statements, pages 605-606, dated June 17, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C82	Trial Transcript, Deposition Testimony of Kenneth Barton, pages 1047-1064, dated June 18, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C83	Trial Transcript, John Dewhirst, Direct examination by Mr. Drivas (Novartis), pages 1066-1080, dated June 18, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C84	Trial Transcript, John Dewhirst, Cross examination by Ms. Knoll (Monsanto), pages1080-1088, dated June 18, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C85	Trial Transcript, John Dewhirst, Redirect examination by Mr. Drivas (Novartis), pages 1088-1091, dated June 18, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C86	Trial Transcript, Deposition Testimony of Michael Miller, pages 1102-1110, dated June 19, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C87	Trial Transcript, Deposition Testimony of Sandra Cannon, pages 1110-1123, dated June 19, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	

Examiner	Date	-
Signature	Considered	

Substitute for form 1449/PTO				Complete if Known		
				Application Number	07/827,906-Conf. #3375	
INF	ORMATI	ON DISC	CLOSURE	Filing Date	January 30, 1992	
STA	STATEMENT BY APPLICANT			First Named Inventor	Kenneth A. Barton	
				Art Unit	1638	
(Use as many sheets as necessary)			essary)	Examiner Name	A. R. Kubelik	
	8	Of	23	Attorney Docket Number	28079/41333	

C88	Trial Transcript, Transition Statements regarding Michael Miller and Sandra Cannon, pages 1125, dated June 19, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C89	Trial Transcript, Deposition Testimony of Fred Perlak, pages 1125-1137, dated June 19, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C90	Trial Transcript, Deposition Testimony of Edgar Lawson, pages 1137-1139, dated June 19, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C91	Trial Transcript, Deposition Testimony of David Fishhoff and transition statement, pages 1140-1155, dated June 19, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C92	Trial Transcript, Dr. Julia Bailey-Serres, Direct examination by Mr. Drivas (Novartis), pages 1161-1219, 1223-1238, 1250-1260, dated June 19, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C93	Trial Transcript, Dr. Julia Bailey-Serres, Cross examination by Mr. Mr. Lynch (Monsanto), pages 1260-1286, dated June 19, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C94	Trial Transcript, Dr. Julia Bailey-Serres, Redirect examination by Mr. Drivas (Novartis), pages 1289-1292, dated June 19, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C95	as filed in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.	
C96	Trial Transcript, Guy Cardineau, Direct examination by Mr. Guise (Mycogen/Agrigenetics), pages 1392-1405, dated June 24, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C97	Trial Transcript, Guy Cardineau, Cross examination by Mr. Lynch (Monsanto), pages 1405-1413, dated June 24, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C98	Trial Transcript, Guy Cardineau, Redirect examination and transition statement by Mr. Guise (Mycogen/Agrigenetics), pages 1413-1418, dated June 24, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C99	Trial Transcript, Michel Adang, Direct examination by Mr. Mahaney (Mycogen/Agrigenetics), pages 1418-1453, dated June 24, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	

Examiner	Date
Signature	Considered

Sul	Substitute for form 1449/PTO			Complete if Known		
				Application Number	07/827,906-Conf. #3375	
11	NFORMATION	ON DIS	SCLOSURE	Filing Date	January 30, 1992	
S	STATEMENT BY APPLICANT (Use as many sheets as necessary)			First Named Inventor	Kenneth A. Barton	
				Art Unit	1638	
: [Examiner Name	A. R. Kubelik	
	9	Of	23	Attorney Docket Number	28079/41333	

	Trial Transcript, Michel Adang, Cross examination by Mr. Lynch (Monsanto), pages 1453-1487, dated June 24, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C101	pages 1487-1492, dated June 24, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C102	Trial Transcript, Gerald Bjorge, Direct examination by Mr. Olson (Mycogen/Agrigenetics), pages 1497-1514, dated June 24, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C103	Trial Transcript, Gerald Bjorge, Cross examination by Ms. Knoll (Monsanto), pages 1514-1531, dated June 24, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
	Trial Transcript, Gerald Bjorge, Redirect examination and transition statement by Mr. Olson (Mycogen/Agrigenetics), pages 1532-1536, dated June 24, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C105	Trial Transcript, Deposition Testimony of Lawrence Lavin, pages 1537-1538, dated June 24, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C106	Trial Transcript, Joseph Falkinham, Direct examination by Mr. Olson (Mycogen/Agrigenetics), pages 1539-1604, dated June 24, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C107	Trial Transcript, Joseph Falkinham, Cross examination by Mr. Lynch (Monsanto), pages 1655, 1666-1696, dated June 25, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C108	Trial Transcript, Joseph Falkinham, Redirect examination and transition statement by Mr. Olson (Mycogen/Agrigenetics), pages 1696-1707, dated June 25, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C109	Trial Transcript, Deposition Testimony of Dr. Nam-Hai Chua and transition statements, pages 1707-1708, dated June 25, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C110	Trial Transcript, Fred Perlak, Rebuttal Direct examination by Mr. Lynch (Monsanto), pages 1712-1773, dated June 25, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C111	Trial Transcript, Fred Perlak, Cross examination by Mr. Drivas (Novartis), pages 1773-1821, dated June 25, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	_

Examiner	Date
Signature	Considered

Sut	Substitute for form 1449/PTO			Complete if Known		
				Application Number	07/827,906-Conf. #3375	
11	NFORMATION	1 DI	SCLOSURE	Filing Date	January 30, 1992	
S	STATEMENT BY APPLICANT (Use as many sheets as necessary)			First Named Inventor	Kenneth A. Barton	
				Art Unit	1638	
				Examiner Name	A. R. Kubelik	
	10	Of	23	Attorney Docket Number	28079/41333	

-	Trial Transcript, Fred Perlak, Cross examination by Mr. Olson (Mycogen/Agrigenetics), pages 1821-1841, dated June 25, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
	Trial Transcript, Fred Perlak, Redirect examination by Mr. Lynch (Monsanto), pages 1842-1843, and transition statement by Mr. Olson (Mycogen/Agrigenetics), pages 1843-1844 dated June 25, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C114	Trial Transcript, Roy Fuchs, Direct examination by Mr. Lynch (Monsanto), pages 1845-1855, dated June 25, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C115		
	Trial Transcript, Roy Fuchs, Cross examination by Mr. Dickerson (Mycogen/Agrigenetics), pages 1855-1860, dated June 25, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
	Trial Transcript, Harry Klee, Direct examination by Mr. Lee (Monsanto), pages 1867-1874, dated June 25, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C118	Trial Transcript, Harry Klee, Cross examination by Mr. Drivas (Novartis), pages 1874-1875, dated June 25, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C119	Trial Transcript, Harry Klee, Cross examination by Mr. Mahaney (Mycogen/Agrigenetics), pages 1875-1878, dated June 25, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
	Trial Transcript, Linda Hanley Bowdoin, Direct examination by Mr. Lee (Monsanto), pages 1880-1885, dated June 25, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C121	Trial Transcript, Linda Hanley Bowdoin, Cross examination by Mr. Drivas (Novartis), pages 1885-1887, dated June 25, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
	Trial Transcript, Tom Rogers, Direct examination by Ms. Knoll (Monsanto), pages 1887-1894, dated June 25, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
	Trial Transcript, Tom Rogers, Cross examination by Mr. Drivas (Novartis), pages 1894-1897, dated June 25, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C124	Trial Transcript, Toni Armstrong, Direct examination by Mr. Lee (Monsanto), pages 1897-1902, dated June 25, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	

· · · · · · · · · · · · · · · · · · ·	
Examiner	Date
Signature	Considered

Substitute for form 1449/PTO			Complete if Known		
			Application Number	07/827,906-Conf. #3375	
INFORMA [*]	TION DIS	CLOSURE	Filing Date	January 30, 1992	
STATEMENT BY APPLICANT			First Named Inventor	Kenneth A. Barton	
				1638	
(Use as many sheets as necessary)			Examiner Name	A. R. Kubelik	
11	Of	23	Attorney Docket Number	28079/41333	

	Trial Transcript, Toni Armstrong, Cross examination by Mr. Oelke (Novartis), pages 1902-1903, dated June 25, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
	Trial Transcript, Toni Armstrong, Cross examination by Mr. Dickerson (Mycogen/Agrigenetics), page 1903, dated June 25, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
	Trial Transcript, Jeanne Layton, Direct examination by Mr. Lee (Monsanto), pages 1904-1912, dated June 25, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
	Trial Transcript, Jeanne Layton, Cross examination by Mr. Oelke (Novartis), page 1912, dated June 25, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
	Trial Transcript, David Fishhoff, Direct examination by Ms. Knoll (Monsanto), pages 1924-1963, dated June 26, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	1/
	Trial Transcript, David Fishhoff, Cross examination by Mr. Drivas (Novartis), pages 1963-2018, dated June 26, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C131	Trial Transcript, David Fishhoff, Cross examination by Mr. Olson (Mycogen/Agrigenetics), pages 2018-2044, dated June 26, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	<u> </u>
	Trial Transcript, David Fishhoff, Redirect examination by Ms. Knoll (Monsanto), pages 2045-2046, dated June 26, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C133	Trial Transcript, Transition statements examination by Mr. Lynch (Monsanto) and Mr. Drivas (Novartis), pages 2047-2051, dated June 26, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C134	Trial Transcript, Deposition transcript of Walter Wright, pages 2051-2056, dated June 26, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	4
	Trial Transcript, Dr. Nam-Hai Chua, Direct examination by Mr. Lynch (Monsanto), pages 2057-2071, dated June 26, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C136	Trial Transcript, Dr. Nam-Hai Chua, Cross examination by Mr. Olson (Mycogen/Agrigenetics), pages 2087-2096, dated June 26, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	

Examiner	Date	
Signature		
Olginature	Considered	

Sub	Substitute for form 1449/PTO			Complete if Known		
				Application Number	07/827,906-Conf. #3375	
IN	IFORMATIO	N DIS	CLOSURE	Filing Date	January 30, 1992	
S	STATEMENT BY APPLICANT (Use as many sheets as necessary)			First Named Inventor	Kenneth A. Barton	
				Art Unit	1638	
				Examiner Name	A. R. Kubelik	
	12	Of	23	Attorney Docket Number	28079/41333	

<u> </u>		
	Trial Transcript, Opening Statement by Mr. Drivas (Novartis) on inequitable conduct, pages 2209-2227, dated June 26, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
	Trial Transcript, Opening Statement by Mr. Tomasch (Mycogen/Agrigenetics) on inequitable conduct, pages 2228-2253, dated June 26, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
	Trial Transcript, Closing Argument by Mr. Lynch (Monsanto), pages 2277-2319, dated June 29, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C140	Trial Transcript, Closing Argument by Mr. Drivas (Novartis), pages 2320-2369, dated June 29, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C141	Trial Transcript, Closing Argument by Mr. Olson (Mycogen/Agrigenetics), pages 2371-2414, dated June 29, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C142	Trial Transcript, Rebuttal Argument by Mr. Lynch (Monsanto), pages 2414-2421, dated June 29, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
	Trial Transcript, Rebuttal Argument by Mr. Drivas (Novartis), pages 2421-2422, dated June 29, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
	Trial Transcript, Rebuttal Argument by Mr. Olson (Mycogen/Agrigenetics), pages 2422-2424, dated June 29, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware	
C145	Trial Transcript, Opening Statement by Mr. Lynch (Monsanto) on inequitable conduct, pages 2432-2446, dated June 29, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C146	Trial Transcript, Lawrence Bogorad, Direct examination by Mr. Tomasch (Mycogen/Agrigenetics), pages 2447-2493, dated June 29, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C147	Trial Transcript, Lawrence Bogorad, Cross examination by Mr. Lynch (Monsanto), pages 2493-2505, dated June 29, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C148	Trial Transcript, Lawrence Bogorad, Redirect examination by Mr. Tomasch (Mycogen/Agrigenetics), pages 2505-2509, dated June 29, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C149		
<u></u>		

Examiner	Date
Signature	
Signature	Considered

Substitute for form 1449/PTO				Complete if Known		
				Application Number	07/827,906-Conf. #3375	
IN	IFORMATION	ON DISC	CLOSURE	Filing Date	January 30, 1992	
S	TATEMEN ¹	T BY AP	PLICANT	First Named Inventor	Kenneth A. Barton	
				Art Unit	1638	
	(Use as many	sheets as ned	cessary)	Examiner Name	A. R. Kubelik	
13 Of 23		Attorney Docket Number	28079/41333			

	Trial Transcript, David Fishhoff, Continued examination by Mr. Tomasch (Mycogen/Agrigenetics), pages 2582-2614, dated July 8, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
	Trial Transcript, David Fishhoff, Examination by Mr. Drivas (Novartis), pages 2614-2645, dated July 8, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
	Trial Transcript, David Fishhoff, Examination by Ms. Knoll (Monsanto), pages 2646-2658, dated July 8, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
	Trial Transcript, Closing argument by Mr. Tomasch (Mycogen/Agrigenetics) on inequitable conduct, pages 2658-2686, dated July 8, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
	Trial Transcript, Closing argument by Mr. Drivas (Novartis) on inequitable conduct, pages 2691-2699, dated July 8, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
	Trial Transcript, Closing argument by Mr. Lynch (Monsanto), pages 2699-2708, dated July 8, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
C156	Expert report of Michael Adang, submitted 3/25/98 in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.	
	Expert report of Arthur Aronson, submitted 3/25/98 in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.	
	Expert report of Julia Bailey-Serres, submitted 3/25/98 in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.	
C159	Expert report of Gerald Bjorge, submitted 3/25/98 in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.	
C160	Expert report of Gerald Bjorge, submitted 4/15/98 in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.	
	Expert report of Lawrence Bogorad, submitted 3/25/98 in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.	
C162	Expert report of John Dewhirst, submitted 3/25/98 in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.	
C163	Expert report of Joseph Falkinham, submitted 4/15/98 in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.	

Examiner	Date	
	Date	
Signature	Considered	
Oignature	Considered	

Substitute for form 1449/PTO				Complete if Known		
ŀ				Application Number	07/827,906-Conf. #3375	
11	NFORMATIO	N DI	SCLOSURE	Filing Date	January 30, 1992	
S	TATEMENT	BY A	APPLICANT	First Named Inventor	Kenneth A. Barton	
				Art Unit	1638	
	(Use as many sh	neets as	s necessary)	Examiner Name	A. R. Kubelik	
	14	Of	23	Attorney Docket Number	28079/41333	

	Expert report of Joseph Falkinham, submitted 3/25/98 in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
	Expert report of Joseph Falkinham, submitted 4/30/98 in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.	
	Expert report of John Goolkasian, submitted 3/25/98 in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.	
	Expert report of John Goolkasian, submitted 4/15/98 in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.	
	Expert report of Julia Bailey-Serres, submitted 4/15/98 in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.	
	Expert report of Nam-Hai Chua, submitted4/15/98 in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware.	
	Expert report of Nam-Hai Chua, submitted 3/25/98 in Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp., 96-133-RRM, United States Court District of Delaware.	
	Monsanto's Responses to Mycogen's First Set of Interrogatories, dated July 10, 1995, as filed in Mycogen Plant, et al. v. Monsanto Company, 95-CV-653, U.S. District Court, Southern District of California (San Diego).	
	Monsanto's Responses to Plaintiffs' Fourth Set of Interrogatories, dated January 21, 1997, as filed in <i>Mycogen Plant, et al. v. Monsanto Company</i> , 95-CV-653, U.S. District Court, Southern District of California (San Diego).	
	Mycogen Plant Science, Inc. and Agrigenetics, Inc.'s Responses to Monsanto's First Set of Interrogatories (Nos. 1-11), dated June 24, 1997, as filed in <i>Mycogen Plant, et al. v. Monsanto Company</i> , 95-CV-653, U.S. District Court, Southern District of California (San Diego).	
	Mycogen's Notice of Motion and Motion for Summary Judgment of Validity and Memorandum of Points and Authorities in Support of Its Motion for Summary Judgment of Validity (includes Declaration of Laurenson in Support), dated December 28, 1995, as filed in <i>Mycogen Plant, et al. v. Monsanto Company</i> , 95-CV-653, U.S. District Court, Southern District of California (San Diego).	·
C175	Mycogen's Statement of Undisputed Facts in Support of Its Motion for Summary Judgment of Validity, dated December 28, 1995, as filed in <i>Mycogen Plant, et al. v. Monsanto Company</i> , 95-CV-653, U.S. District Court, Southern District of California (San Diego).	
	Monsanto's Memorandum in Opposition to Mycogen's Motion for Summary Judgment of Validity and Exhibits in Support, filed July 24, 1996, as filed in Mycogen Plant, et al. v. Monsanto Company, 95-CV-653, U.S. District Court, Southern District of California (San Diego).	
C177	Mycogen's Reply in Support of Its Motion for Summary Judgment of Validity, dated August 5, 1996, as filed in <i>Mycogen Plant, et al. v. Monsanto Company</i> , 95-CV-653, U.S. District Court, Southern District of California (San Diego).	

Examiner Date	
Cinadius	sidered

Substitute for form 1449/PTO			Complete if Known		
			Application Number	07/827,906-Conf. #3375	
INFORMATION	ON DIS	SCLOSURE	Filing Date	January 30, 1992	
STATEMEN [*]	T BY A	APPLICANT	First Named Inventor	Kenneth A. Barton	
			Art Unit	1638	
(Use as man)	/ sheets as	necessary)	Examiner Name	A. R. Kubelik	
15	Of	23	Attorney Docket Number	28079/41333	

Order Denying Motion for Summary Judgment of Validity; Denying Motion for Summary Judgment Re Interpretation of 35 U.S.C. § 271(g); Granting Motion for Summary Judgment on Claim Construction, filed August 15, 1996, as filed in <i>Mycogen Plant, et al. v. Monsanto Company</i> , 95-CV-653, U.S. District Court, Southern District of California (San Diego).	
Monsanto's Motion and Notice of Motion for Summary Judgment of Invalidity Under 35 U.S.C. § 102(g) and § 103 Pursuant to Fed. R. Civ. P. 56, dated March 30, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company</i> , 95-CV-653, U.S. District Court, Southern District of California (San Diego).	
Invalidity Under 35 U.S.C. § 102(g) and § 103 (includes Declaration of F.T. Alexandra Mahaney and Appendix, dated April 13, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company</i> , 95-CV-653, U.S. District Court, Southern District of California (San Diego).	
Reply Brief of Monsanto in Support of Its Motion for Summary Judgment of Invalidity Under 35 U.S.C. § 102(g) and § 103, dated April 20, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company</i> , 95-CV-653, U.S. District Court, Southern District of California (San Diego).	
U.S. Patent No. 5,380,831 (includes Declaration of Melinda Patterson), dated March 30, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company</i> , 95-CV-653, U.S. District Court, Southern District of California (San Diego).	
12 of U.S. Patent No. 5,380,831 (includes Declaration of F.T. Alexandra Mahaney and Appendix), dated April 13, 1998, as filed in <i>Mycogen Plant</i> , et al. v. Monsanto Company, 95-	
Reply Memorandum in Support of Monsanto's Motion for Summary Judgment of Invalidity of Claims 1-12 of U.S. Patent No. 5,380,831, dated April 20, 1998, as filed in <i>Mycogen Plant</i> , et al. v. Monsanto Company, 95-CV-653, U.S. District Court, Southern District of California (San Diego).	
Order Lifting Stay; Order Granting Monsanto's Motion for Summary Judgment Under 35 U.S.C. §§ 102(g) and 103; Order Denying Monsanto's Motion for Summary Judgment Under 35 U.S.C. § 112 as Moot, filed November 10, 1999, as filed in <i>Mycogen Plant, et al. v. Monsanto Company</i> , 95-CV-653, U.S. District Court, Southern District of California (San Diego).	
Mycogen Plant, et al. v. Monsanto Company, 252 F.3d 1306 (Fed. Cir. 2001) – Inter alia, reversing summary judgment of invalidity under 35 U.S.C. § 102(g).	
Supplemental Memorandum of Points and Authorities in Support of Monsanto's Motion for Summary Judgment of Invalidity of Claims 1-12 of U.S. Patent No. 5,380,831, filed November 19, 2001, as filed in <i>Mycogen Plant, et al. v. Monsanto Company</i> , 95-CV-653, U.S. District Court, Southern District of California (San Diego).	
Mycogen's Opposition to Monsanto's Motion on Remand for Summary Judgment of Invalidity of Claims 1-12 of U.S. Patent No. 5,380,831, dated December 3, 2001, as filed in <i>Mycogen Plant, et al. v. Monsanto Company</i> , 95-CV-653, U.S. District Court, Southern District of California (San Diego).	
Reply Memorandum of Points and Authorities in Support of Monsanto's Motion for Summary Judgment of Invalidity of Claims 1-12 of U.S. Patent No. 5,380,831, dated December 10, 2001, as filed in <i>Mycogen Plant, et al. v. Monsanto Company</i> , 95-CV-653, U.S. District Court, Southern District of California (San Diego).	
	Judgment Re Interpretation of 35 U.S.C. § 271(g); Granting Motion for Summary Judgment on Claim Construction, filed August 15, 1996, as filed in Mycogen Plant, et al. v. Monsanto Company, 95-CV-653, U.S. District Court, Southern District of California (San Diego). Monsanto's Motion and Notice of Motion for Summary Judgment of Invalidity Under 35 U.S.C. § 102(g) and § 103 Pursuant to Fed. R. Civ. P. 56, dated March 30, 1998, as filed in Mycogen Plant, et al. v. Monsanto Company, 95-CV-653, U.S. District Court, Southern District of California (San Diego). Mycogen's and Agrigenetics's Opposition to Monsanto's Motion for Summary Judgment of Invalidity Under 35 U.S.C. § 102(g) and § 103 (includes Declaration of F.T. Alexandra Mahaney and Appendix, dated April 13, 1998, as filed in Mycogen Plant, et al. v. Monsanto Company, 95-CV-653, U.S. District Court, Southern District of California (San Diego). Reply Brief of Monsanto in Support of Its Motion for Summary Judgment of Invalidity Under 35 U.S.C. § 102(g) and § 103, dated April 20, 1998, as filed in Mycogen Plant, et al. v. Monsanto Company, 95-CV-653, U.S. District Court, Southern District of California (San Diego). Monsanto's Motion and Notice of Motion for Summary Judgment of Invalidity of Claims 1-12 of U.S. Patent No. 5,380,831 (includes Declaration of Melinda Patterson), dated March 30, 1998, as filed in Mycogen Plant, et al. v. Monsanto Company, 95-CV-653, U.S. District Court, Southern District of California (San Diego). Mycogen's Opposition to Monsanto's Motion for Summary Judgment of Invalidity of Claims 1-12 of U.S. Patent No. 5,380,831 (includes Declaration of F.T. Alexandra Mahaney and Appendix), dated April 23, 1988, as filed in Mycogen Plant, et al. v. Monsanto Company, 95-CV-653, U.S. District Court, Southern District of California (San Diego). Mycogen's Opposition to Monsanto's Motion for Summary Judgment of Invalidity of Claims 1-12 of U.S. Patent No. 5,380,831, diated April 20, 1998, as filed in Mycogen Plant, et al. v. Monsanto Company, 95-C

Examiner	Date	
Signature	Considered	
Cignature	Considered	

Complete if Known Substitute for form 1449/PTO Application Number 07/827,906-Conf. #3375 **INFORMATION DISCLOSURE** Filing Date January 30, 1992 STATEMENT BY APPLICANT First Named Inventor Kenneth A. Barton Art Unit 1638 (Use as many sheets as necessary) Examiner Name A. R. Kubelik 16 Of 23 Attorney Docket Number 28079/41333

-		
	Order Denying Monsanto's Motion for Summary Judgment, dated June 4, 2002, as filed in <i>Mycogen Plant, et al. v. Monsanto Company</i> , 95-CV-653, U.S. District Court, Southern District of California (San Diego).	
	Rule 26 Expert Report of John T. Goolkasian, dated November 13, 2003, as filed in <i>Mycogen Plant, et al. v. Monsanto Company</i> , 95-CV-653, U.S. District Court, Southern District of California (San Diego).	
	Rule 26 Expert Report of Dallas E. Johnson, dated November 13, 2003, as filed in <i>Mycogen Plant, et al. v. Monsanto Company</i> , 95-CV-653, U.S. District Court, Southern District of California (San Diego).	
	Expert Report of Dr. Joachim Messing, dated November 13, 2003, as filed in <i>Mycogen Plant</i> , et al. v. Monsanto Company, 95-CV-653, U.S. District Court, Southern District of California (San Diego).	
	Rebuttal Expert Report of Joseph Falkinham III, dated December 18, 2003, as filed in <i>Mycogen Plant, et al. v. Monsanto Company</i> , 95-CV-653, U.S. District Court, Southern District of California (San Diego).	
	Notice of DeKalb Pursuant to 35 U.S.C. § 282, dated December 12, 1997, as filed in <i>Mycogen Plant</i> , et al. v. Monsanto Company, et al, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
C196	Notice Under 35 U.S.C. § 282 by Monsanto and Delta and Pine Land Company, dated December 20, 1997, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
C197	Mycogen's Supplemental Responses to Interrogatory Nos. 7 and 9 of DeKalb's Second Set of Interrogatories, dated December 9, 1997, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al,</i> 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
C198	Mycogen's Response to Monsanto's First Set of Interrogatories, dated June 24, 1997, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al,</i> 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
C199	Mycogen's Supplemental Response to Monsanto's First Set of Interrogatories, dated December 23, 1997, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	Monsanto's Responses to Mycogen's and Agrigenetics' First Set of Interrogatories, dated April 23, 1997, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	Monsanto's and Delta and Pine Land's Supplemental Responses to Interrogatories, dated November 21, 1997, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
C202	Delta and Pine Land's Responses to Mycogen's and Agrigenetics' First Set of Interrogatories, dated April 28, 1997, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	Mycogen's and Agrigenetics' Motion for Judgment as a Matter of Law Under Fed. R. Civ. P. 50, dated February 20, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al,</i> 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
C204	Mycogen's and Agrigenetics' Post-Trial Brief in Support of Motion for Judgment as a Matter of Law Under Fed. R. Civ. P. 50 (includes Appendix, dated March 20, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	

Examiner	Date
Signature	Considered

Substitute for form 1449/PTO				Complete if Known		
				Application Number	07/827,906-Conf. #3375	
11	NFORMATION	I DI	SCLOSURE	Filing Date	January 30, 1992	
S	TATEMENT E	3Y A	APPLICANT	First Named Inventor	Kenneth A. Barton	
				Art Unit	1638	
	(Use as many sh	eets as	necessary)	Examiner Name	A. R. Kubelik	
	17	Of	23	Attorney Docket Number	28079/41333	

	Monsanto's and Delta and Pine Land's Opposition to Mycogen's Motion for Judgment as a Matter of Law Under Fed. R. Civ. P. 50 (includes Appendix in Support; see Appendix OP 448.2, 448.3 and 448.4), dated April 27, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	Memorandum of DeKalb Genetics in Opposition to Plaintiff's Motion for Judgment as a Matter of Law, dated April 27, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	-
	Mycogen's Reply Brief in Support of Its Motion for Judgment as a Matter of Law Under Fed. R. Civ. P. 50, dated May 11, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	Monsanto's and Delta and Pine Land's Renewed Motion for Judgment as a Matter of Law at the Close of Evidence, dated February 2, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	Monsanto's and Delta and Pine Land's Renewed Motion for Judgment as a Matter of Law after the Verdict, dated February 20, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al,</i> 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
C210	Memorandum in Support of Monsanto's and Delta and Pine Land's Renewed Motions for Judgment as a Matter of Law, dated March 20, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
C211	Defendants' Reply to Plaintiffs' Opposition to Monsanto's and Delta and Pine Land's Motion for Judgment as a Matter of Law, dated May 12, 1998, as filed in <i>Mycogen Plant</i> , et al. v. <i>Monsanto Company</i> , et al, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
C212	Letter from Balick, Ashby & Geddes to Judge McKelvie re Issues Raised in DeKalb's Motion for Partial Summary Judgment, dated October 13, 1997, as filed in <i>Mycogen Plant</i> , et al. v <i>Monsanto Company</i> , et al, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
C213	Letter from Ingersoll to Judge McKelvie re Mycogen's Replying on Banner Deposition for Summary Judgment Argument, dated January 6, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
C214	Monsanto's and Delta and Pine Land's Brief in Support of Their Motion for Summary Judgment of Invalidity Under 35 U.S.C. § 102(g), dated November 24, 1997, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al,</i> 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	Plaintiffs' Brief in Opposition to Defendants' Motion for Summary Judgment of Invalidity Under 35 U.S.C. § 102(g), dated December 22, 1997, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	-
	Amended Version of Plaintiffs' Brief in Opposition to Defendants' Motion for Summary Judgment of Invalidity Under 35 U.S.C. § 102(g), dated December 23, 1997, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
C217	Reply Brief of Monsanto and Delta and Pine Land in Support of Their Motion for Summary Judgment of Invalidity Under 35 U.S.C. § 102(g), dated January 7, 1998, as filed in <i>Mycogen Plant</i> , et al. v. Monsanto Company, et al, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	

Examiner	Date	
Signature	Considered	<u> </u>

Substitute for form 1449/PTO				Complete if Known		
				Application Number	07/827,906-Conf. #3375	
INFORMATION DISCLOSURE				Filing Date	January 30, 1992	
STATEMENT BY APPLICANT			PLICANT	First Named Inventor	Kenneth A. Barton	
				Art Unit	1638	
(Use as many sheets as necessary)			cessary)	Examiner Name	A. R. Kubelik	
	18	Of	23	Attorney Docket Number	28079/41333	

		Monsanto's and Delta and Pine Land's Brief in Support of Its Motion for Summary Judgment of Invalidity of Patent Nos. 5,567,600 and 5,567,862 Under 35 U.S.C. § 112, dated October 27, 1997, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	C219	Plaintiffs' Answering Brief to Monsanto's Motion for Summary Judgment of Invalidity of Patent Nos. 5,567,600 and 5,567,862 Under 35 U.S.C. § 112, dated November 24, 1997, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	C220	Motion for Summary Judgment of Invalidity Under 35 U.S.C. § 112, dated November 24, 1997, as filed in <i>Mycogen Plant</i> , et al. v. <i>Monsanto Company</i> , et al, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
		Support of Their Motion for Summary Judgment of Invalidity Under 35 U.S.C. § 112, dated December 8, 1997, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
		Opening Memorandum in Support of the Motion of DeKalb for Partial Summary Judgment of Invalidity (includes Appendix), dated October 13, 1997, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	_	Plaintiffs' Answering Brief to DeKalb's Motion for Partial Summary Judgment of Invalidity, dated November 18, 1997, as filed in <i>Mycogen Plant</i> , et al. v. Monsanto Company, et al, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	C224	Declaration of Keith Walker in Support of Answering Brief to DeKalb's Motion for Partial Summary Judgment of Invalidity, dated November 18, 1997, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	C225	DeKalb's Reply Brief in Support of Its Motion for Partial Summary Judgment of Invalidity (includes Appendix), dated December 11, 1997, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	C226	Judgment, dated February 5, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
		Revised Opinion on Post-Trial Motions and Motion for Attorney Fees and on Inequitable Conduct, dated September 8, 1999, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
		Donald W. Banner Expert Report, dated November 3, 1997, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
		Dallas Johnson Expert Report, dated November 3, 1997, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
		Joachim Messing Expert Report, dated November 3, 1997, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	C231	Lawrence Bogorad Expert Report, dated November 14, 1997, as filed in <i>Mycogen Plant, et al.</i> v. <i>Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
Evaminor	Т	National Control of the Control of t	

Examiner		Date	
Signature		Considered	
			<u> </u>

Substitute for form 1449/PTO			Complete if Known		
			Application Number	07/827,906-Conf. #3375	
INFORMAT	ION DIS	SCLOSURE	Filing Date	January 30, 1992	
STATEMENT BY APPLICANT			First Named Inventor	Kenneth A. Barton	
			Art Unit	1638	
(Use as many sheets as necessary)			Examiner Name	A. R. Kubelik	
19	Of	23	Attorney Docket Number	28079/41333	

γ		
	Joseph O. Falkinham Rebuttal Report, dated November 24, 1997, as filed in <i>Mycogen Plant</i> , et al. v. Monsanto Company, et al, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
C233	Mycogen Plant Science, Inc. v. Monsanto Co., 243 F.3d 1316 (2001).	
	Trial Transcript, Opening Statement by Mr. Olson, pages 80-96, 101-118, dated January 20, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	Trial Transcript, Opening Statement by Mr. Lynch, pages 118-152, dated January 20, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al,</i> 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	Trial Transcript, Opening Statement by Mr. Baumgartner, pages 154-193, dated January 20, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	·
	Trial Transcript, Elizabeth E. Murray, Direct Examination by Mr. Olson, pages 443-481, dated January 21, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
C238	Trial Transcript, Elizabeth E. Murray, Continued Direct Examination by Mr. Olson, pages 493-504, dated January 22, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
C239		
C240	Trial Transcript, Elizabeth E. Murray, Cross-Examination by Mr. Baumgartner, pages 559-588, dated January 22, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	Trial Transcript, Elizabeth E. Murray, Redirect by Mr. Olson, pages 589-617, dated January 22, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	Trial Transcript, Frederick J. Perlak, Direct Examination by Mr. Lynch, pages 875-730, dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
C243	Trial Transcript, Frederick J. Perlak, Cross-Examination by Mr. Olson, pages 930-968, dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	Trial Transcript, Frederick J. Perlak, Redirect by Mr. Lynch, pages 968-973, dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	Trial Transcript, Sylvia McPherson, Direct Examination by Mr. Lee, pages 979-984, dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
C246	Trial Transcript, Sylvia McPherson, Cross-Examination by Mr. Olson, pages 984-987, dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	

-			
Examiner		Date	
l 🙃 .		Date	
Signature	l de la companya de	Considered	
		Considered	

Substitute for form 1449/PTO		Complete if Known		
		Application Number	07/827,906-Conf. #3375	
INFORMATION I	DISCLOSURE	Filing Date	January 30, 1992	
STATEMENT BY	' APPLICANT	First Named Inventor	Kenneth A. Barton	
_		Art Unit	1638	
(Use as many sheets	as necessary)	Examiner Name	A. R. Kubelik	
20 0	of 23	Attorney Docket Number	28079/41333	

1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C248 Trial Transcript, Harry J. Klee, Direct Examination by Ms. Knoll, pages 989-996, dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C249 Trial Transcript, Harry J. Klee, Cross-Examination by Mr. Olson, pages 996-997, dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C250 Trial Transcript, Roy Fuchs, Direct Examination by Mr. Lynch, pages 998-1012, dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C251 Trial Transcript, Roy Fuchs, Cross-Examination by Mr. Olson, pages 1012-1016, dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C252 Trial Transcript, Linda Hanley-Bowdoin, Direct Examination by Ms. Knoll, pages 1017-1023, dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C253 Trial Transcript, Linda Hanley-Bowdoin, Cross-Examination by Mr. Olson, page 1024, dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C254 Trial Transcript, Stephen C. Rogers, Direct Examination by Mr. Lynch, pages 1025-1042, dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C255 Trial Transcript, Stephen G. Rogers, Cross-Examination by Mr. Olson, pages 1042-1046, dated January 26, 1998, as filed			
23, 1998, as filed in Mycogen Plant, et al. v. Monsanto Company, et al, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C249 Trial Transcript, Harry J. Klee, Cross-Examination by Mr. Olson, pages 996-997, dated January 23, 1998, as filed in Mycogen Plant, et al. v. Monsanto Company, et al, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C250 Trial Transcript, Roy Fuchs, Direct Examination by Mr. Lynch, pages 998-1012, dated January 23, 1998, as filed in Mycogen Plant, et al. v. Monsanto Company, et al, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C251 Trial Transcript, Roy Fuchs, Cross-Examination by Mr. Olson, pages 1012-1016, dated January 23, 1998, as filed in Mycogen Plant, et al. v. Monsanto Company, et al, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C252 Trial Transcript, Linda Hanley-Bowdoin, Direct Examination by Ms. Knoll, pages 1017-1023, dated January 23, 1998, as filed in Mycogen Plant, et al. v. Monsanto Company, et al, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C253 Trial Transcript, Linda Hanley-Bowdoin, Cross-Examination by Mr. Olson, page 1024, dated January 23, 1998, as filed in Mycogen Plant, et al. v. Monsanto Company, et al, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C254 Trial Transcript, Stephen C. Rogers, Direct Examination by Mr. Lynch, pages 1025-1042, dated January 23, 1998, as filed in Mycogen Plant, et al. v. Monsanto Company, et al, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C255 Trial Transcript, Stephen G. Rogers, Cross-Examination by Mr. Olson, pages 1042-1046, dated January 23, 1998, as filed in Mycogen Plant, et al. v. Monsanto Company, et al, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C256 Trial Transcript, David Fischhoff, Direct Examination by Mr. Olson, pages 1111-1156 dated		District Court, District of Delaware (Wilmington).	
January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C250 Trial Transcript, Roy Fuchs, Direct Examination by Mr. Lynch, pages 998-1012, dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C251 Trial Transcript, Roy Fuchs, Cross-Examination by Mr. Olson, pages 1012-1016, dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C252 Trial Transcript, Linda Hanley-Bowdoin, Direct Examination by Ms. Knoll, pages 1017-1023, dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C253 Trial Transcript, Linda Hanley-Bowdoin, Cross-Examination by Mr. Olson, page 1024, dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C254 Trial Transcript, Stephen C. Rogers, Direct Examination by Mr. Lynch, pages 1025-1042, dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C255 Trial Transcript, Stephen G. Rogers, Cross-Examination by Mr. Olson, pages 1042-1046, dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C256 Trial Transcript, David Fischhoff, Direct Examination by Mr. Sayler, pages 1079-1111, dated January 26, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District O Delaware (Wilmington).		23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C251 Trial Transcript, Roy Fuchs, Cross-Examination by Mr. Olson, pages 1012-1016, dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C252 Trial Transcript, Linda Hanley-Bowdoin, Direct Examination by Ms. Knoll, pages 1017-1023, dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C253 Trial Transcript, Linda Hanley-Bowdoin, Cross-Examination by Mr. Olson, page 1024, dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C254 Trial Transcript, Stephen C. Rogers, Direct Examination by Mr. Lynch, pages 1025-1042, dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C255 Trial Transcript, Stephen G. Rogers, Cross-Examination by Mr. Olson, pages 1042-1046, dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C256 Trial Transcript, David Fischhoff, Direct Examination by Mr. Sayler, pages 1079-1111, dated January 26, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).		January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv- 00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C252 Trial Transcript, Linda Hanley-Bowdoin, Direct Examination by Ms. Knoll, pages 1017-1023, dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C253 Trial Transcript, Linda Hanley-Bowdoin, Cross-Examination by Mr. Olson, page 1024, dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C254 Trial Transcript, Stephen C. Rogers, Direct Examination by Mr. Lynch, pages 1025-1042, dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C255 Trial Transcript, David Fischhoff, Direct Examination by Mr. Sayler, pages 1079-1111, dated January 26, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C257 Trial Transcript, David Fischhoff, Cross-Examination by Mr. Olson, pages 1111-1156 dated		23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C253 Trial Transcript, Linda Hanley-Bowdoin, Cross-Examination by Mr. Olson, page 1024, dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District Examination by Mr. Lynch, pages 1025-1042, dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C255 Trial Transcript, Stephen G. Rogers, Cross-Examination by Mr. Olson, pages 1042-1046, dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C256 Trial Transcript, David Fischhoff, Direct Examination by Mr. Sayler, pages 1079-1111, dated January 26, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C257 Trial Transcript, David Fischhoff, Cross-Examination by Mr. Olson, pages 1111-1156 dated		January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C254 Trial Transcript, Stephen C. Rogers, Direct Examination by Mr. Lynch, pages 1025-1042, dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C255 Trial Transcript, Stephen G. Rogers, Cross-Examination by Mr. Olson, pages 1042-1046, dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C256 Trial Transcript, David Fischhoff, Direct Examination by Mr. Sayler, pages 1079-1111, dated January 26, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C257 Trial Transcript, David Fischhoff, Cross-Examination by Mr. Olson, pages 1111-1156, dated		dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C255 Trial Transcript, Stephen G. Rogers, Cross-Examination by Mr. Olson, pages 1042-1046, dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C256 Trial Transcript, David Fischhoff, Direct Examination by Mr. Sayler, pages 1079-1111, dated January 26, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C257 Trial Transcript, David Fischhoff, Cross-Examination by Mr. Olson, pages 1111-1156, dated		January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C256 Trial Transcript, David Fischhoff, Direct Examination by Mr. Sayler, pages 1079-1111, dated January 26, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C257 Trial Transcript, David Fischhoff, Cross-Examination by Mr. Olson, pages 1111-1156, dated		dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
January 26, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al,</i> 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). C257 Trial Transcript, David Fischhoff, Cross-Examination by Mr. Olson, pages 1111-1156, dated		dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
C257 Trial Transcript, David Fischhoff, Cross-Examination by Mr. Olson, pages 1111-1156, dated		January 26, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
00505-RRM, U.S. District Court, District of Delaware (Wilmington).		January 26, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
C258 Trial Transcript, David Fischhoff, Redirect by Mr. Sayler, pages 1156-1160, dated January 26, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).		1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
C259 Trial Transcript, Joachim Messing, Direct Examination by Mr. Lynch, pages 1166-1203, dated January 26, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).		Trial Transcript, Joachim Messing, Direct Examination by Mr. Lynch, pages 1166-1203, dated January 26, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
C260 Trial Transcript, Joachim Messing, Cross-Examination by Mr. Olson, pages 1203-1229, dated January 26, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).		Trial Transcript, Joachim Messing, Cross-Examination by Mr. Olson, pages 1203-1229, dated January 26, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
C261 Trial Transcript, Catherine Mackey, Direct Examination by Mr. Baumgartner, pages 1237-1272, dated January 26, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	C261	Trial Transcript, Catherine Mackey, Direct Examination by Mr. Baumgartner, pages 1237-1272, dated January 26, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i>	

Examiner	Date	
Signature	Considered	

Sul	bstitute for form 1449/PTO			Complete if Known		
ĺ				Application Number	07/827,906-Conf. #3375	
11	NFORMATION	N DI	SCLOSURE	Filing Date	January 30, 1992	
S	STATEMENT I	BY /	APPLICANT	First Named Inventor	Kenneth A. Barton	
			_	Art Unit	1638	
(Use as many sheets as necessary)			necessary)	Examiner Name	A. R. Kubelik	
1 '	21	Of	23	Attorney Docket Number	28079/41333	

Coco	Trial Transport College Market Co.	lr .
	Trial Transcript, Catherine Mackey, Cross-Examination by Mr. Olson, pages 1273-1292, dated January 26, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	Trial Transcript, Catherine Mackey, Redirect by Mr. Baumgartner, pages 1292-1294, dated January 26, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
C264	Trial Transcript, Michael A. Stephens, Direct by Mr. Baumgartner, pages 1302-1325, dated January 26, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	Trial Transcript, Michael A. Stephens, Cross-Examination by Mr. Olson, pages 1325-1335, dated January 26, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	Trial Transcript, Michael A. Stephens, Continued Cross-Examination by Mr. Olson, pages 1342-1344, dated January 27, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	Trial Transcript, Daniel R. Gallie, Direct by Mr. Baumgartner, pages 1359-1402, 1410-1435, dated January 27, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	Trial Transcript, Daniel R. Gallie, Cross-Examination by Mr. Guise, pages 1435-1448, dated January 27, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	Trial Transcript, Daniel R. Gallie, Redirect by Mr. Baumgartner, pages 1448-1453, dated January 27, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
C270	Trial Transcript, Video Excerpts from Don Merlo Deposition, pages 1463-1478, dated January 27, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
C271	Trial Transcript, Deposition Testimony from Donald Merlo, pages 1483-1496, dated January 27, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
C272	Trial Transcript, Deposition Testimony from Thomas Rocheleau, pages 1497-1520, dated January 27, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	Trial Transcript, Joseph O. Falkinham, Direct Examination by Mr. Guise, pages 1625-1654, dated January 28, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
C274	Trial Transcript, Joseph O. Falkinham, Cross-Examination by Mr. Lynch, pages 1654-1690, dated January 28, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
C275	Trial Transcript, Joseph O. Falkinham, Cross-Examination by Mr. Baumgartner, pages 1690-1691, dated January 28, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
C276	Trial Transcript, Joseph O. Falkinham, Redirect by Mr. Guise, pages 1691-1694, dated January 28, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	

Examiner	Date	
	Date	I
Signature	Conside	rod
U.g. Later	Conside	eu

Substitute for form 1449/PTO				Complete if Known		
				Application Number	07/827,906-Conf. #3375	
INFORMATION DISCLOSURE				Filing Date	January 30, 1992	
S	STATEMENT BY APPLICANT			First Named Inventor	Kenneth A. Barton	
				Art Unit	1638	
(Use as many sheets as necessary)			necessary)	Examiner Name	A. R. Kubelik	
	22	Of	23	Attorney Docket Number	28079/41333	

	Trial Transcript, Michael J. Adang, Direct Examination by Ms. Mahaney, pages 1701-1744, 1747-1750, dated January 28, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
C278	Trial Transcript, Michael J. Adang, Cross-Examination by Mr. Lynch, pages 1750-1778, dated January 28, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
C279	Trial Transcript, Michael J. Adang, Cross-Examination by Mr. Baumgartner, pages 1778-1813, dated January 28, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	Trial Transcript, Michael J. Adang, Redirect by Ms. Mahaney, pages 1813-1820, dated January 28, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	Trial Transcript, Deposition Testimony of John Ingle, pages 1833-1840, dated January 28, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	Trial Transcript, Jean Romero-Severson, Direct Examination by Ms. Mahaney, pages 1841-1847, dated January 28, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	Trial Transcript, Jean Romero-Severson, Cross-Examination by Ms. Knoll, pages 1847-1850, dated January 28, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
C284	Trial Transcript, Deposition Testimony of Carolyn Stock, pages 1851-1862, dated January 28, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	Trial Transcript, Deposition Testimony of Carolyn Stock (Continued), pages 1933-1939, dated January 29, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	Trial Transcript, Theodore Klein, Direct Examination by Mr. Katcoff, pages 1970-1993, 2003-2013, dated January 19, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	Trial Transcript, Theodore Klein, Cross-Examination by Mr. Baumgartner, pages 2014-2054, dated January 29, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	Trial Transcript, Theodore Klein, Redirect by Mr. Katcoff, pages 2054-2058, dated January 29, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	Trial Transcript, Deposition Testimony of Charles Armstrong, pages 2063-2074, dated January 29, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	Trial Transcript, Deposition Testimony of Ben Bowen, pages 2074-2094, dated January 29, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
C291	Trial Transcript, Deposition Testimony of William Gurley, pages 2132-2141, dated January 29, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	

	Date	
	100.0	l i
Signature	Considered	l .
	100110100	<u></u>

Substitute for form 1449/PTO				Complete if Known		
				Application Number	07/827,906-Conf. #3375	
INFORMATION DISCLOSURE				Filing Date	January 30, 1992	
S	(Use as many sheets as necessary)			First Named Inventor	Kenneth A. Barton	
				Art Unit	1638	
				Examiner Name	A. R. Kubelik	
	23	Of	23	Attorney Docket Number	28079/41333	

	Trial Transcript, Deposition Testimony of Lorance Greenlee, pages 2192-2194, dated January 29, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	Trial Transcript, Deposition Testimony of Larry Swaney, pages 2194-2196, dated January 29, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	Trial Transcript, Deposition Testimony of Kevin McBride, pages 2254-2257, dated January 30, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	Trial Transcript, Deposition Testimony of Duff Dean, pages 2257-2258, dated January 30, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	Trial Transcript, Deposition Testimony of Sherry Brown, pages 2258-2261, dated January 30, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	Trial Transcript, Deposition Testimony of Charles Romano, pages 2261-2264, dated January 30, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	Trial Transcript, Deposition Testimony of Dave Corbin, pages 2264-2273, dated January 30, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
C299	Trial Transcript, Deposition Testimony of Duff Dean (Counterdesignation), pages 2275-2276, dated January 30, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
C300	Trial Transcript, Closing Argument by Mr. Olson, pages 2368-2371, 2396-2433, dated January 30, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
C301	Trial Transcript, Closing Argument by Mr. Lynch, pages 2434-2476, dated January 30, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	,,,,
	Trial Transcript, Closing Argument by Mr. Baumgartner, pages 2479-2522, dated January 30, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	Trial Transcript, Closing Argument by Mr. Olson (Continued), pages 2522-2528, dated January 30, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
	Trial Transcript, Closing Argument by Mr. Baumgartner (Continued), pages 2528-2530, dated January 30, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	
C305	Plaintiffs' Answering Brief in Opposition to Monsanto's and Delta and Pine Land's Motion for Judgment as a Matter of Law, dated April 27, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Examiner	Date	
Signature	Considered	

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.